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## Vehicle Towing Policy

### 510.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Villa Park Police Department.

### 510.2 RESPONSIBILITIES

The responsibilities of those employees storing or impounding a vehicle are as follows.

Vehicles may be towed for a number of reasons. There are **Non-Custodial** tows resulting from accidents where either a private tow is requested by the owner or the department provides the tow, and **Police Authorized** tows resulting from parking violations, hazards, snow tows, abandoned autos, and arrests.

In the event that the driver is arrested and the vehicle was used in the commission of a crime, or when the driver is custodial arrested for an offense that is a felony, misdemeanor, or similar provision of local ordinance, the vehicle may be impounded. Vehicles may also be towed for the following reasons:

- (a) **Evidence purposes**
- (b) **Forfeiture proceedings**
- (c) **Custodial reasons** (safe keeping, establish ownership)
- (d) **Hazards**
- (e) **Unsafe Vehicles**
- (f) **Investigative Purposes**

**Non-Custodial** tows do not require the use of the Villa Park Police Tow Report. However, all other tows require the Tow Report which includes an inventory of car equipment, a notation of damages seen on the vehicle, and an inventory of the contents of the vehicle. The areas to be inventoried include:

- **Trunk/Cargo Areas** (If access can be gained without damaging the vehicle)
- **Passenger Areas** (including glove compartments and consoles if access can be gained without damaging the vehicle)
- **Engine Compartment** (to ensure that obvious engine parts are on the vehicle)
- **Hubcaps** (note any missing hubcaps)

#### 510.2.1 COMPLETION OF TOW REPORT

Department members requesting storage of a vehicle shall complete a Tow Report, including a description of property within the vehicle. The original is to be submitted to the Desk Receptionist as soon as practical after the vehicle is stored.

#### 510.2.2 INVENTORY GUIDELINES

All property in a stored or impounded vehicle shall be inventoried and listed on the departmental Tow Report. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory

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procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

**ARTICLES OF VALUE** - When articles of apparent value of fifty dollars (\$50) or more are located during the inventory, they must be listed separately on the Tow Report. Such items include but are not limited to:

- **Tape/CD Players not integral to the vehicle:** (Include brand names,model, and serial numbers)
- **Sports Equipment:** (Articles such as golf clubs, fishing tackle, etc)
- **Radios and Televisions:** (Include brand names,model, and serial numbers)
- **Articles of Concern to the Arrestee:** (articles specifically mentioned by he arrestee)

**PROPERTY REMOVED FROM VEHICLE** - If discovered during the inventory, the following articles shall be seized and removed from the vehicle prior to towing.

**A. Safekeeping:** Small articles that are particularly susceptible to loss or theft shall not be left in the vehicles. They are to be removed and stored in the Property Room for release to the owner at a later time. Object to be considered include:

- (a) Currency
- (b) Jewelry
- (c) Credit Cards
- (d) Firearms (legally stored)

**B. Unlawful Possession:** Articles that are unlawful to possess shall be seized and stored in the Property Room as evidence. An investigative report shall be written and criminal charges sought when appropriate. Such items may include:

- (a) Concealed weapons
- (b) Stolen Property
- (c) Contraband (controlled substances, illegal firearms, untaxed liquor, etc)
- (d) Alcoholic Beverages in possession of minors

**C. Seized Evidence** - Any evidence seized under this section requires a separate Incident Report and will be treated like any other property evidence.

#### **510.2.3 DRIVING A NON-VILLAGE VEHICLE**

Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant, or to comply with posted signs.

#### **510.2.4 TOW REPORT FORM**

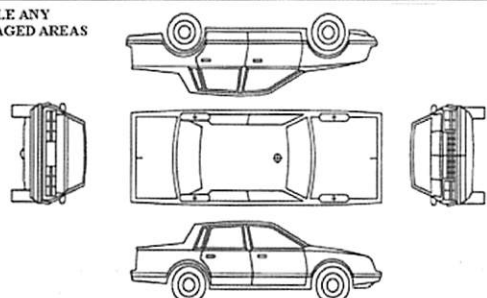
The Tow Report form is to be used in conjunction with any vehicles towed under the authority of this policy. It is to be completed and submitted with the rest of the officer's reports regarding the incident

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#### VILLA PARK POLICE DEPARTMENT TOW REPORT

DuComm # _____							
<b>REASON FOR TOW:</b>							
PARKING VIOLATION	<input type="checkbox"/>	ABANDONED	<input type="checkbox"/>	ARREST	<input type="checkbox"/>	SNOW	<input type="checkbox"/>
RECOVERED/STOLEN VEHICLE	<input type="checkbox"/>	HAZARD	<input type="checkbox"/>	OTHER	<input type="checkbox"/>		
<b>HOLD</b> <input type="checkbox"/> <b>REASON FOR HOLD:</b>			DUI—12 HOUR HOLD <input type="checkbox"/>		<b>RELEASE UPON PROOF OF:</b>		
			EVIDENCE <input type="checkbox"/>		VALID INSURANCE <input type="checkbox"/>		VALID DL <input type="checkbox"/>
			FORFEITURE <input type="checkbox"/>		PROOF OF OWNERSHIP <input type="checkbox"/>		
LOCATION TOWED FROM: _____				DATE/TIME TOWED: _____			
LOCATION TOWED TO: _____				BY: _____			
TOW OPERATOR'S SIGNATURE: _____							
<b>EQUIPMENT:</b>		<b>INVENTORY:</b> _____					
RADIO	<input type="checkbox"/>	_____					
RADAR DETECTOR	<input type="checkbox"/>	_____					
CD PLAYER	<input type="checkbox"/>	_____					
PHONE	<input type="checkbox"/>	_____					
OTHER	<input type="checkbox"/>	_____					
Complainant: _____		Address: _____		City: _____			
Arrestee: _____		DOB: _____		Phone: _____			
Address: _____		City: _____		State: _____			
Registered Owner: _____		Same as Above <input type="checkbox"/>					
Address: _____		City: _____		State: _____			
Phone: _____		Phone: _____					
Owner Notified: Yes <input type="checkbox"/> No <input type="checkbox"/> Notified by Ofc: _____ LEADS # _____							
Vehicle Description	Color	Year	Make	Model	Style		
	LIC	LIY	LIS	MILEAGE			
CIRCLE ANY DAMAGED AREAS				VIN _____			
				NARRATIVE / CHARGES : _____			
				_____			
				_____			
				_____			
				_____			
				_____			
				_____			
				_____			
DATE	REPORTING OFFICER		ARRESTING OFFICER		SUPERVISOR APPROVING		

#### 510.2.5 TELECOMMUNICATOR RESPONSIBILITIES

Upon receiving a request for towing, the telecommunicator shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

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When there is no preferred company requested, the telecommunicator shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the following firm is called on the next request.

#### **510.3 TOWING SERVICES**

The Village of Villa Park periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal from the streets of vehicles obstructing traffic in violation of state or local regulations.

Towing firms are prohibited from soliciting tows from owners or operators of damaged or disabled vehicles (625 ILCS 5/11-1431).

Nothing in this policy shall require the Department to tow a vehicle.

#### **510.3.1 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC CRASH**

When a vehicle has been involved in a traffic crash and must be removed from the scene, the officer shall inquire of the driver to select a towing company, if possible, and shall relay the request for the specified towing company to the telecommunicator. When there is no preferred company requested, a company will be selected from the approved list of towing companies in Du Comm in the proper manner.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a crash, the officer shall request the telecommunicator to call the appropriate towing company from the approved list of towing companies in Du Comm in the proper manner.

#### **510.4 STORAGE AT ARREST SCENES**

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee's vehicle subject to the exceptions described below. However, the vehicle shall be stored whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored, for example, the vehicle would present a traffic hazard if not removed or due to a high crime area the vehicle would be in jeopardy of theft or damage if left at the scene.

The vehicle shall also be stored as mandated by law. Examples of situations where storage may be mandated include, but may not be limited to the following:

- When the driver has a suspended or revoked license and is uninsured (625 ILCS 5/6-303(e)).
- When the officer reasonably believes that a violation of § 11-501 of the Illinois Vehicle Code or similar provision is likely to continue upon release of the arrested person (625 ILCS 5/4-203(e)).

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

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- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene.

In such cases, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages.

#### **510.5 VEHICLE SEARCHES**

Vehicles may be searched when one or more of the following conditions are met:

- (a) When probable cause to search the vehicle exists.
- (b) When it is reasonable to believe that the vehicle contains evidence of the offense of the arrest of the occupant(s).
- (c) With consent of the operator.
- (d) Incident to an arrest if the occupant(s) of the vehicle have not been secured and remain within reaching distance of the passenger compartment.
- (e) To search for weapons when reasonable suspicion exists that a weapon may be present.
- (f) When necessary to examine the vehicle identification number or to determine the ownership of the vehicle.
- (g) Under emergency circumstances not otherwise enumerated above.
- (h) Pursuant to a valid search warrant.

#### **510.6 SECURITY OF VEHICLES AND PROPERTY**

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g. cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, search personnel shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

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## **Vehicle Tow, Storage and Impound Hearings**

### **512.1 PURPOSE AND SCOPE**

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings.

### **512.2 VEHICLE TOWS, STORAGE OR IMPOUNDS**

When a vehicle is towed or stored by any member of the Villa Park Police Department, a hearing may be conducted upon the request of the registered or legal owner of the vehicle or their agent. Hearings for vehicles that are impounded pursuant to a local impound ordinance shall follow hearing procedures provided within the ordinance. Vehicles that are impounded for the purpose of statutory seizure shall have hearings in compliance with the statute.

See §510 and §513 for more information regarding Administrative Tows, Forfeitures, and Hearings.

#### **512.2.1 HEARING PROCEDURES**

The vehicle tow or storage hearing is an informal process to evaluate the validity of the tow or storage of a vehicle. Any relevant evidence may be submitted and reviewed by the hearing officer to determine if the vehicle in question was properly towed and/or stored in accordance with the law and Villa Park Police Department policies and procedures. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a towed and/or stored vehicle shall be submitted in person, writing, or by telephone within ten days of the date appearing on the notice. The Village appointed attorney will generally serve as the hearing officer; another agency member may be assigned by the Chief of Police or a Division Commander. The person requesting the hearing may record the hearing at his/her own expense.

The vehicle storage/towing hearing officer shall consider all information provided and determine the validity of the towing and/or storage of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of period the vehicle is impounded.

If a decision is made that the vehicle was properly towed and/or stored within the law and department policy, and that mitigating circumstances are not a factor, the hearing officer shall so advise the inquiring party.

A decision that the vehicle was not towed and/or stored in a lawful manner or within department policy will require that the vehicle in storage be released immediately and any or all towing and storage fees will be waived.

If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage, or assessment of fees as warranted.

# Villa Park Police Department

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### *Vehicle Tow, Storage and Impound Hearings*

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If a decision is made that the vehicle was not towed and/or stored in a lawful manner or within department policy, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the appropriate Division Commander. The hearing officer will recommend to the appropriate Division Commander that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.

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## **Administrative Tows, Forfeitures, Fees, and Hearings**

### **513.1 PURPOSE AND SCOPE**

This policy establishes the procedures for the seizure and impoundment of vehicles pursuant to state and local laws.

### **513.2 POLICY STATEMENT**

It shall be the policy of the Villa Park Police Department to seize and impound vehicles pursuant to applicable state forfeiture laws and Chapter 14, Article IV, Section 14-401 of the Villa Park Municipal Code. Further, it shall also be the Department's policy to employ reasonable and necessary procedures to safeguard all vehicles and property taken into police custody as a result of these actions.

### **513.3 DEFINITIONS**

**Hearing** - Anyone who has had a vehicle towed and impounded under this policy as it pertains to the Municipal Ordinance may request a review to determine if he/she is liable for the tow fees. This **hearing** shall be conducted by a Village of Villa Park **Hearing Officer** within 15 days after the seizure of a vehicle pursuant to Municipal Code Section 14-401. The **hearing** shall be to determine by a preponderance of the evidence if the vehicle was used or operated in connection with or during the commission or attempted commission of those offenses set forth in Municipal Code Section 14-401.

**Hearing Officer** - An individual appointed by the Villa Park Village Manager who shall be an attorney licensed to practice law in the State of Illinois for a minimum of three (3) years prior to the date of his/her appointment. The Hearing Officer sits in judgment at the hearing to determine a finding of Liable or Not Liable as well as the assignment of any applicable fees.

### **513.4 PROCEDURES**

**As directed by the Villa Park Municipal Code Section 14-401 - Offenses Subject to Vehicle Seizure and Impoundment:**

"A motor vehicle, operated with the permission, expressed or implied, of the owner of record, that is used in connection with the following violations shall be subject to tow and impoundment by the Village of Villa Park Police Department, and the owner of record of said vehicle shall be liable to the Village of Villa Park for an administrative penalty in addition to any towing and storage fees, as hereinafter provided:"

#### ***Offenses -***

- (a) Operation or use of a motor vehicle in the commission or attempted commission of any offense for which a motor vehicle may be seized and forfeited pursuant to 720 ILCS 5/36-1 et seq., shall subject the owner to an administrative fee of \$500.00;
- (b) Driving Under the Influence of Alcohol other Drug or Drugs, Intoxicating Compounds, in violation of Section 15.501 of this Chapter, or 625 ILCS 5/11-501, shall subject the owner to an administrative fee of \$500.00;



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- (c) Operation or use of a motor vehicle in connection with the commission or attempted commission of any felony offense in violation of the provisions of the Illinois Cannabis Control Act, 720 ILCS 550/1, shall subject the owner to an administrative fee of \$500.00;
- (d) Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of the Illinois Controlled Substances Act, 720 ILCS 570/100, shall Subject the owner to an administrative fee of \$500.00;
- (e) Unlawful Use of a Weapon in violation of 720 ILCS 5/24-1; Aggravated Discharge of a Firearm in violation of 720 ILCS 5/24-1.5; and Unlawful Possession of a Firearm and Firearm Ammunition, in violation of 720 ILCS 5/24-3.1, shall subject the owner to an administrative fee of \$500.00;
- (f) Driving While Driver's License, Permit, or Privilege to Operate a Motor Vehicle is Suspended or Revoked, 625 ILCS 5/6-303, shall subject the owner to an administrative fee of \$500.00; except that vehicles shall not be subjected to seizure impoundment if the suspension is for an unpaid citation (parking or moving), or due to failure to comply with emissions testing;
- (g) Operation or Use of a Motor Vehicle While Soliciting, Possessing, or Attempting to Solicit or Possess Cannabis or a Controlled Substance - as defined by the Illinois Cannabis Control Act, 720 ILCS 550/2, or the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq., shall subject the owner to an administrative fee of \$500.00;
- (h) Operation or use of a motor vehicle with an expired Driver's License in violation of Section 6-101 of the Illinois Vehicle Code, 625 ILCS 5/6-101 where the period of expiration is greater than one (1) year, shall subject the owner to an administrative fee of \$500.00;
- (i) Operation or use of a motor vehicle without ever having been issued a driver's license or permit in violation of Section 6-101 of the Illinois Vehicle Code, 625 ILCS 5/6-101, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age, shall subject the owner to an administrative fee of \$500.00; and
- (j) License, or issued citations for DWLS/DWLR or No Valid Driver's License, the impounded vehicle will be released to any licensed driver with the owner present, and having proof of valid liability insurance.

#### **513.5 RELEASE OF VEHICLE**

For motorists charged with the offense of DUI - Alcohol, Other Drugs, Drugs, Intoxicating Compound or Compounds or any combination thereof, the impounded vehicle will be released to any licensed driver, with the owner present, having proof of valid liability insurance, and after a period of no less than twelve hours after the time of arrest.

In all cases where motorists are charged with Operating an Uninsured Vehicle, the vehicle may be released only after providing valid proof of insurance, along with any other requirements detailed in this section.

#### **513.6 UNCLAIMED VEHICLES**

If the administrative penalty and applicable towing and storage fees are not paid within thirty (30) days after the expiration of time in which an administrative review of the Hearing Officer's determination may be sought, or within thirty (30) days after an action seeking administrative review has been resolved in favor of the Village of Villa Park, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles under the Illinois Vehicle Code.

# Villa Park Police Department

## Policy Manual

### Administrative Tows, Forfeitures, Fees, and Hearings

#### 513.6.1 VEHICLE REPORT FORM AND CRITERION LIST FOR FORFEITURE TOWS

The Vehicle Forfeiture Report is to be used whenever a vehicle is to be towed for possible forfeiture. Before towing a vehicle for forfeiture, the officer shall check the Criterion List to determine validity of the tow.

<div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center; margin: 0;"><b>ATTACHMENTS</b></p> <p style="margin: 0;"><input type="checkbox"/> Title Information</p> <p style="margin: 0;"><input type="checkbox"/> Tow Bill</p> <p style="margin: 0;"><input type="checkbox"/> Driver Abstract</p> </div>	<p style="text-align: right;"><b>Villa Park Case Number</b> _____</p>															
<p><b><u>VEHICLE FORFEITURE REPORT</u></b></p>																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Arrestee:</td> <td style="width: 20%;">TYPE:</td> <td style="width: 40%;">DATE:</td> </tr> <tr> <td>Address:</td> <td>City:</td> <td>State:</td> </tr> <tr> <td>Year:</td> <td>Make:</td> <td>Model:</td> </tr> <tr> <td>Color:</td> <td>Reg. #:</td> <td>Reg. State:</td> </tr> <tr> <td>VIN:</td> <td>Tow Company:</td> <td>Location of Vehicle:</td> </tr> </table>		Arrestee:	TYPE:	DATE:	Address:	City:	State:	Year:	Make:	Model:	Color:	Reg. #:	Reg. State:	VIN:	Tow Company:	Location of Vehicle:
Arrestee:	TYPE:	DATE:														
Address:	City:	State:														
Year:	Make:	Model:														
Color:	Reg. #:	Reg. State:														
VIN:	Tow Company:	Location of Vehicle:														
<p><b><u>Arrestee Interview</u></b></p>																
<p>Are you the owner of the vehicle? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No (skip to 2)</span></p> <p>Is the vehicle exclusively for your use? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Does anyone co-own the vehicle with you? Who? _____ (skip to 5)</p> <p>What is your relationship to the vehicle owner?</p> <p>Do you live with the vehicle owner? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Are the other keys on the key ring yours? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Who typically drives the vehicle? _____</p> <p>Does the owner / co-owner usually drive a different vehicle? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Does the owner / co-owner know you have the vehicle? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>When was the last time the owner / co-owner drove the vehicle? _____</p> <p>Have you ever been ticketed/arrested in this vehicle? _____</p>																
<p><b><u>Owner/Co Owner Interview</u></b></p>																
<p>If you have an opportunity to interview the owner/co-owner of the vehicle (if he was a passenger, arrived with band, was called for band), complete the below questions.</p> <p>Who typically drives the vehicle? _____</p> <p>Do you usually drive a different vehicle? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Did you know the arrestee was driving your vehicle? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Were you aware the arrestee did not have a valid license? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="padding-left: 40px;">If you to #3 and #4, consider issuing a citation or written warning for 625 ILCS 5/6-304 "Allowing an Unauthorized Person to Drive." (See Ticket # _____)</p> <p>Were you aware of the arrestee's previous arrest for DUI/DWI/S/DWI/A/DI. <span style="float: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></span></p> <p>Have you ever posted bond for the arrestee in the past? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Who pays for the insurance on the vehicle? _____</p>																
<p><b>Officer's Signature</b> _____ <b>Supervisor's Signature</b> _____</p>																

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### Administrative Tows, Forfeitures, Fees, and Hearings

#### CRITERION FOR THE TOWING OF VEHICLES

##### NON-CRIMINAL TOW

Disabled Vehicles (19-16's) Removed at Owner's Request      Tows due to Crashes with notification of owner

##### ADMINISTRATIVE POLICE TOW

DWLS/DWLs Article 16-00 for driver for DWI, DWL, or DWLCT  
 Ejecting or attempting to eject  
 Drug Offense: (possession of Cannabis more than 30 grams) or  
 Drug Offense (marijuana) possession of controlled substances  
 (SEE ARTICLE 16 FOR CLARIFICATION)

DUI Arrests  
 NYS (except if expired less than 12 months or expired)  
 Illegal transportation of alcohol - driver  
 Firearms offenses

##### CRIMINAL POLICE TOW

Abandoned vehicles: creating a hazard for traffic  
 Without Consent of driver (except for DWLS/DWL/DWLCT)

Recovered Stolen Autos  
 Driver's license / Identification Violation

##### SEEKING POLICE TOW

**ARTICLE 16 (VEHICLES ONLY) - 16'** (Not offense and **ATTEMPT** for, Regardless of filing of any Criminal Charge)

<ul style="list-style-type: none"> <li>Fuel Degree Misdemeanor</li> <li>Reckless Homicide</li> <li>Indecent Solicitation of a Child</li> <li>Juvenile Ping-pong</li> <li>Child Pornography</li> <li>Burglary</li> <li>Roadblock Burglary</li> <li>Possession of Explosives</li> <li>Armed Robbery</li> <li>Gambling (Proceeds and Proceeds in and Conveyances)</li> <li>Holocaust Battery</li> <li>Aggravated Battery of a Child</li> <li>Animal Fighting</li> <li>Criminal Sexual Abuse re: firearm or victim can't understand</li> <li>Criminal Sexual Assault</li> <li>Aggravated Stalking</li> <li>DUI - without the gun-trunk</li> <li>DWLS based on DJJ Revocation/SS or Leaving the Scene of PL 10 - 50 or Reckless Homicide</li> <li>Aggravated Fleeting and Ejecting</li> <li>DUI (DUI) or subject and</li> <li>DUI and no license (includes DWLS for ANY reason)</li> <li>Vehicular and Auto Theft (under NY State Article 16)</li> <li>No DL &amp; No Insurance when resulting in a PL Death, Reckless Homicide</li> </ul>	<ul style="list-style-type: none"> <li>Involuntary Manslaughter</li> <li>Aggravated Kidnapping</li> <li>Solicitation of a Juvenile Prostitute</li> <li>Exploitation of a Child</li> <li>Terrorism</li> <li>Possession of Hungry Funds</li> <li>ATFOD</li> <li>Reckless Discharge of a Firearm</li> <li>Aggravated Battery - Firearm</li> <li>Aggravated Battery - Machine gun or Silencer</li> <li>Aggravated Battery w/ Great Bodily Harm</li> <li>Aggravated Battery w/ Serious Injury</li> <li>Aggravated Criminal Sexual Abuse</li> <li>Aggravated Criminal Sexual Assault</li> <li>Stalking</li> <li>Aggravated Discharge of a Firearm</li> <li>Possession of Deadly Substance</li> <li>Reckless Homicide</li> <li>DUI during a DUI revocation or SS</li> <li>DUI and no insurance</li> <li>DUI Second which results in Reckless Homicide</li> <li>False Compromise in vehicle</li> </ul>
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##### ENVIRONMENTAL PROTECTION ACT

Illegal disposal / Use of hazardous waste / false statement in hazardous papers / Unchlorinated hydrocarbon disposal / Discharge of waste into water / sewer / without permit

##### STREETCART TERMINAL THROUGH PARKING ACT

Any criminal activity any gang member is engaged in which benefits the street gang or member  
 Any property directly or indirectly used or intended for use in any matter to facilitate street gang related activity  
 Any property consisting of or derived from proceeds or other proceeds obtained from street gang related activity  
 Cash, real property, vehicles, and personal property (furniture, jewelry, computers, TVs, sound systems, furniture)

##### ATTEMPT TO CONCEAL OR HIDE

Any class of offenses under the act (an attempted transaction qualifies)  
 Financial transactions (bank, pawn loan, etc, purchase, DP, transporting currency) of criminally derived property, done for the purpose of promoting the target crime OR to hide the source/ownership process OR to avoid reporting requirements.

##### CONTROLLED SUBSTANCES/CANNABIS ACTS

Control Offenses under the Controlled Substances Act and Cannabis Act - for vehicles and real property  
 Manufacture offenses under Cannabis Code of Act - for currency and other things of value furnished or intended in exchange

##### ILLEGITIMATE TRADEMARK ACT

Illegally rebranded (DUI) / DWLS / Driver's / Clothing / Handbags / etc for any thing used to facilitate any offense