

12.255 IMPOUNDING/PROCESSING DELINQUENT VEHICLES AND TAGS

Reference:

Cincinnati Municipal Code 513-1 - Impoundment of Motor Vehicles
Procedure 12.031 – Automatic License Plate Recognition (ALPR)
Procedure 12.270, Impounding, Moving, and Release of Vehicles

Procedure:

- A. Any police officer locating a delinquent vehicle will query the vehicle by VIN and license plates through the Law Enforcement Automated Data System (LEADS) and Regional Crime Information Center (RCIC) to determine the delinquent status and owner of the vehicle. If the registration by VIN and license plates do not match, further investigation is needed. After verification, take the following steps to process the vehicle:
1. If the vehicle is unattended and the owner/driver cannot be located:
 - a. Initiate a Signal 38 request.
 - b. Complete the Tows/OT Recovery Module (Tow Mod) in the Records Management System (RMS).
 - c. Complete a Form 369A, Towing Receipt, and give both copies to the wrecker driver.
 2. If the vehicle is attended, or the driver/ owner makes their presence known before the wrecker leaves the curb and enters a moving traffic lane:
 - a. The officer can direct or escort the driver/owner to the Hamilton County Municipal Court Clerk's Office to satisfy the delinquent tags.
 - b. If the driver/owner cannot satisfy the tags without delay at the Hamilton County Municipal Court Clerk's Office, direct and escort the driver with the vehicle to the nearest district.
 - c. Inform the driver that the vehicle will be impounded if the delinquent tags are not satisfied within a specified timeframe. The driver must return to the district to provide proof, within the specified time.
 - 1) Consider existing circumstances (availability of parking spaces at the district, time of day, etc.) when determining what is a reasonable time before impounding the vehicle.
 - d. If the driver fails to return with proof that the tags were satisfied within the specified time, tow the vehicle to the Impound Unit.

3. The investigating officer has the discretion at any time to impound any delinquent vehicle when circumstances dictate. The officer is responsible for the safety of the operator and occupants when impounding an occupied delinquent vehicle. The officer will transport the occupants if needed to a safe location such as a residence or the nearest district.
- B. The type and number of delinquent violations can be verified by running a Query Outstanding Ticket (QOT).
1. In order to redeem the delinquent vehicle, the driver/owner must:
 - a. Pay all delinquent tags.
 - b. If the owner of a delinquent vehicle wishes to contest delinquent citations, they must be registered for court.
 - c. If warrants have been issued, bond must be posted on each.
 2. The driver/owner may retrieve the vehicle held at a district or the Impound Unit by presenting proof the tags have been paid or registered for court.
 - a. Impound fees must be paid if the vehicle is retrieved from the Impound Unit.
- C. By ordinance, the owner of any vehicle impounded under Cincinnati Municipal Code 513-1 must be notified in person or by a letter sent to the last known address of the registered owner.
1. The impounding officer will attempt to notify the vehicle owner in person or by telephone of the impoundment, providing such notification can be made during the impoundment and investigation process.
 - a. The officer will indicate if notification was or was not made in the Tow Mod, under the Owner/Driver tab, Notify Information section.
 - b. If the impounding officer is unable to notify the owner during the impoundment/investigation process, the officer will note in the Comments or Recovery Details box any information gained relative to the owner's current address or telephone number.
 - c. Impound Unit personnel are responsible for the notification after the vehicle is received at the Impound Unit.
 - 1) A notice is sent via regular mail to the last known address of the registered owner.

2. The owner must be notified of the:
 - a. Vehicle location.
 - b. Reason for impoundment.
 - c. Procedure for obtaining release of the vehicle.
 - d. Accrued charges for impoundment and storage.
 - e. Ability to challenge the validity of the impoundment at a hearing before the sworn officer on duty at the Impound Unit.
 - f. Failure to obtain release of the vehicle within 20 days after impoundment may cause it to be sold at auction.