

PROPOSED AMENDMENT: IMPOUNDMENT AND SALE OF UNCLAIMED VEHICLES



Contracting with Tow Vendors for Vehicle Impoundment and Auction

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GENERAL INFORMATION



- Current CSPD impound procedures
 - Impounded vehicles fall into three categories:
 - Evidentiary vehicles – law enforcement investigations
 - Recovered stolen vehicles
 - Public nuisance motor vehicles (abandoned, public safety issue, etc.)
- Points of clarification:
 - Applicable only to government-requested tows for public nuisance motor vehicles
 - Does not apply to private property tows – not a government concern
 - Costs regulated by the Colorado Public Utilities Commission

CURRENT ORDINANCE



- Current ordinance requires PD to:
 - Store all vehicles towed pursuant to 10.25.101, even if no police interest
 - Send impoundment notices to all owners/lienholders
 - Appraise and sell all vehicles impounded
- Current Process:
 - Officer calls Impound tow for all vehicles with no owner on scene including accidents, traffic hazards, parking complaints, etc.
 - Vehicles are stored at Impound for 40 – 60 days
 - Impound staff appraise and conduct auction for approx. 200 vehicles/month with average sale price of \$400 per vehicle
 - PD resolves all titling/owner issues with Department of Revenue

PROPOSED AMENDMENTS



City Code	Summary
§ 10.25.103: Storage and Towing Charges	Amend to allow City to contract with towing vendors to store vehicles towed at the direction of the City and to collect fees as legally allowed by the state regulatory agency for towing (Colorado Public Utilities Commission).
§ 10.25.104: Notice of Impoundment	Amend to allow contracted tow operator to send notice to owner and lienholder of vehicle impoundment and their right to a hearing to dispute the legality of the towing and impoundment.
§ 10.25.105: Impounded Vehicle; Post-Tow Hearing	Amend to reference other City entities responsible for tows (to encompass Neighborhood Services taking over towing of nuisance vehicles). Add wording allowing waiving of fees for vehicle owners not involved in the activity that necessitated towing.
§ 10.25.106: Sale of Unclaimed Vehicles; Proceeds	Amend to allow City to contract with towing vendors for sale of unclaimed vehicles and to distribute proceeds as directed by the City in the contract.

WHY THE CHANGES?



- Storage Limitations
 - Not enough storage space for current intake numbers
 - New solution required
- Staff Responsibilities
 - Involvement in nuisance vehicles pulls Impound staff from their primary functions of evidentiary vehicles & evidence disposition
- Impound Prioritization
 - Diminishes prioritization of evidentiary vehicles
 - Police department should be out of the towing business, except for evidence & stolen vehicles
 - Majority of law enforcement agencies in Colorado contract impound services

WHY THE CHANGES?



- Changing Responsibilities
 - Neighborhood Services (N.S.) took over nuisance vehicle towing for the City
 - City code amendments are needed to allow them to handle towing without CSPD involvement
- Optional Contracting
 - Adds the *option* for the City to contract with a tow vendor for storage, administration and sale of vehicles
 - Not a requirement
- Liability
 - Current City liability for the management of vehicles including constant movement within the lot to free up space and security issues. This results in damage and loss claims.

CURRENT IMPOUND INFORMATION



- Average Inventory
 - 1,200 vehicles
 - Includes standard vehicles, recreational vehicles, trailers, and motorcycles
- Average Monthly Impounds
 - 405 vehicles brought into impound each month
 - Of these:
 - 39 per month are evidentiary vehicles (homicides, etc.)
 - 75 are stolen vehicle recoveries
 - This change would remove approximately **290** vehicles per month from Impound
 - These 290 vehicles have no law enforcement interest

IMPLEMENTATION



- 1-year pilot program with current impound contract tow company to store non-evidentiary vehicles to their capacity
- Neighborhood Services gets storage priority at tow vendor lot
- Any overage would be handled by the Police Department to ensure all vehicles are properly secured (no subcontracting in first year)
- CSPD will be heavily involved in oversight and review during the pilot to ensure a smooth transition and adherence to all requirements and standards
- CSPD will provide public notices on new processes

BENEFITS



- Police resources are available for other priorities
 - Officers not spending as much time on impounds
- Impound employees focus on primary duties and evidence disposition:
 - Responding to officer requests
 - Assisting detectives and moving vehicles to help with criminal investigations
 - Assisting the District Attorney's Office
 - Additional focus on evidence vehicle intake and evidence releases
 - Able to assist the Evidence Unit with disposition of non-evidentiary items taking up space in storage
- Improves CSPD efficiency in law enforcement areas