



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Edgardo Garcia  
Chief of Police

**SUBJECT:** POLICE DEPARTMENT  
VEHICLE IMPOUND FEE

**DATE:** May 25, 2016

Approved

Date

5-25-16

As part of the 2016-2017 Budget Study Session for the Proposed Fees and Charges on Friday, May 13, 2016, Councilmember Rocha made an inquiry regarding the cost breakdown of the Police Department's Vehicle Impound Release Fee. This memorandum describes this fee in detail.

## **BACKGROUND**

California Vehicle Code 22651 states under what circumstances a peace officer may remove a vehicle. Typically, this occurs when the officer takes the driver into custody for an offense, when the vehicle is considered to be evidence, or when the vehicle is abandoned in a hazardous location. For 2015-2016 year-to-date, the Department facilitated approximately 2,400 impounded vehicle releases.

The Department's Vehicle Records Unit within the Bureau of Technical Services processes all reports and calls related to stolen, recovered, impounded, private property towed, and repossessed vehicles. The Unit enters and updates data in all local, state, and national databases. Duties include coordinating with investigative units on the release of vehicles held for investigation or as evidence of crime. The Unit also maintains informational resources regarding vehicle impounds on the Department's web site<sup>1</sup>.

## **ANALYSIS**

If a vehicle has been impounded by the Department, the registered owner must obtain a vehicle release prior to retrieving the vehicle at the tow yard. The registered owner will be required to pay a fee to obtain a vehicle release. As part of this process, the Vehicle Records Unit will release the vehicle once ownership has been established, ensures the vehicle has been properly

<sup>1</sup> [http://www.sjpd.org/BFO/SpecialOps/TEU/Vehicle\\_Impound\\_Info.html](http://www.sjpd.org/BFO/SpecialOps/TEU/Vehicle_Impound_Info.html)

registered with the California Department of Motor Vehicles, and determines that there are no Department holds on the vehicle. For example, if a vehicle was impounded as evidence, the appropriate investigative unit would place a hold on the vehicle to ensure that all investigative efforts concerning the vehicle have been completed. The Vehicle Impound Release fee is assessed to recover the City's costs associated with this process.

The Vehicle Records Unit facilitates the release of impounded vehicles. Police Records staff follow a 20 step process, which is listed below:

<b>Step</b>	<b>Vehicle Impound Release Tasks by Vehicle Records Unit</b>
1	Receive report of impounded vehicle over phone or through computerized system
2	Fill in information on Call Sheet/Work Sheet
3	Run vehicle identification to ensure information received is valid
4	Enter vehicle information into multiple criminal databases
5	Enter vehicle into separate database if it is to be held for investigative purposes
6	Reconcile receipt of impound form and Call Sheet/Work Sheet
7	Have supervisor validate database entries
8	Have supervisor validate impound form and work sheet
9	Notification/copies of the report to appropriate investigative unit if vehicle is held
10	Prepare and send letter to registered owner
11	Prepare and send letter to lien owner (if applicable) - requires Certified Mail
12	Track vehicle readiness for release if held (communicating with responsible investigative unit for updates)
13	Receive inquiries from owners regarding release status
14	Receive request for vehicle release
15	Search appropriate database for license registration status
16	Facilitate Tow Hearing Officer review, if applicable
17	Review ownership/paperwork - includes referral back to DMV or Tow Hearing as appropriate

May 25, 2016

**Subject: Vehicle Impound Fee**

Page 3

18	Copy identification information
19	Prepare release document
20	Accept and process fees, and issues release document

To complete these steps, it takes Police Records staff on average 1.5 hours with some cases taking longer. Also included in the Vehicle Impound Release Fee is the cost of the Field Patrol Officer that originally initiated the impounding of the vehicle. This involves the evaluation and determination that the vehicle needed to be impounded and marked as such on the appropriate case files. In total, the entire process takes on average 2.25 hours with a combination of staff classifications taking part in the process. This cost of the staff time combined with the City's overhead for this type of fee resulted in the 2016-2017 proposed fee of \$232 per release. Through April 2016, this fee has generated approximately \$530,000 of revenue to offset the costs associated with this workload in 2015-2016.

In addition to the Vehicle Impound Release Fee, the vehicle owners would have to pay fees to a tow yard. These fees may vary based on the type of vehicle and the time that the vehicle is stored at the tow yard. These fees may include tow fees (\$200-\$470), storage fees (\$85 per day), and after 72 hours of storage a lien fee (\$35-\$50). Finally, if an owner decides they do not want the vehicle, they will pay the tow fee, storage fee, and a sign over fee (\$125). Typically, the most a vehicle owner would be charged for a standard vehicle that is held for 30 days would be a storage fee of \$2,550 (\$85 per day), the tow fee of \$200, and a lien fee of \$50, totaling \$2,800 in outside tow company fees.

**CONCLUSION**

This memorandum describes the cost breakdown of the Police Department's Vehicle Impound Release Fee that is required to be fully cost recovery.

/s/  
EDGARDO GARCIA  
Chief of Police

For questions, please contact Administrative Officer Heidi York at 408-537-1625