

COQUILLE INDIAN TRIBAL CODE
Part 6 – Public Safety and Justice Chapter 677
Towing

Index

Subchapter/ <u>Section</u>	<u>Page</u>
677.010 General	Page 2
1. Purpose	
2. Background	
3. Definitions	
677.020 Jurisdiction	Page 3
677.100 Procedure	Page 3

COQUILLE INDIAN TRIBAL CODE
Part 6 – Public Safety and Justice Chapter 677
Towing

677.010 General

1. Purpose

The Coquille Indian Tribe recognizes that a member of the Coquille Indian Tribe Police Department when in the performances of their duty, may come in contact with a vehicle that requires towing. This ordinance shall provide information and assistance as to when to tow a vehicle and how to process the vehicle.

This ordinance shall establish procedures for the towing, and for the release of vehicles that have been towed.

2. Background and Intent (reserved)

3. Definitions

The following terms, wherever used or referred to in this ordinance, shall have the following respective meanings, unless a different meaning clearly appears from the context.

- (a) Abandoned Vehicle. Any vehicle that has been parked or left standing upon any street, highway, road, or parking lot open to the public, for a period in excess of twenty-four [24] hours.
- (b) Tribal Tow. A tow of any Tribal owned or operated vehicle.
- (c) Discarded Vehicle. Any vehicle that is in one or more of the following conditions; inoperative, wrecked, dismantled, abandoned, or junked.
- (d) Vehicle Tow Company List. A list of authorized tow operators maintained at the Police Dispatch Center.
- (e) Private Property Tow Owner/Agent. A person who is the owner, or the agent of the owner, or is in lawful possession, of any private property.

COQUILLE INDIAN TRIBAL CODE
Part 6 – Public Safety and Justice Chapter 677
Towing

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- (f) Tow Vehicle. Any vehicle licensed by any Tribe, the state of Oregon, or any other state or nation, and authorized to tow vehicles.
 - (g) Vehicle. Any motor vehicle that is self propelled or designed for self-propulsion.
 - (h) Peace Officer. Any member of the Coquille Indian Tribe Police Department, or any person authorized by law to act or perform the duties of a peace officer.
 - (i) Roadway. Any portion of a highway road, or street that is improved, designed or ordinarily used for vehicle movement or travel.
 - (j) Revoked/Suspended. When the temporary or permanent driving privileges, vehicle registration, or vehicle title to a motor vehicle, is terminated by any Tribe, state or nation.
 - (k) Traffic Crash. Any collision between vehicle(s), a fixed or other object, person, or a vehicle leaving the roadway and coming to rest on a sidewalk, ditch, private, Tribal, or any public property, or other location, resulting in what is commonly known or described as a traffic crash or accident.
 - (l) Emergency. Any officer may tow a vehicle in an emergency situation, or to prevent injury, or to prevent a vehicle from creating a hazard, or to prevent a traffic crash.
 - (m) Non-Preference Tow. A tow when no choice or preference is stated by a vehicle owner, operator, or other person responsible for a vehicle.
 - (n) Tribal Police Tow. A tow of a vehicle that is initiated by a Tribal Police Officer. Also, when an officer is requested to take a vehicle into the custody of the Tribal police, or any other police agency for the purposes of investigation.

677.020 Jurisdiction (reserved)

677.100 Procedure

1. Generally, when an officer requests the police dispatcher to summon a tow company for a vehicle the dispatcher will select a company from the vehicle tow list. The exception is when a Tribal member, or citizen, requests a specific tow company for a citizen assist tow request.

2. Discarded vehicles shall be tagged with the appropriate 'Notice of Intent to Tow' form, prior a request for a tow.

COQUILLE INDIAN TRIBAL CODE
Part 6 – Public Safety and Justice Chapter 677
Towing

3. When possible calls for discarded vehicles will be made during normal business hours.
4. Officers will cause a vehicle to be towed, only after the officers' investigation has established a need, as well as the authority for such a tow.
5. A citation will be attached to any vehicle if the vehicle is in violation of any Tribal ordinance, any regulation, or any other state or federal laws.
6. When a vehicle is not to be held for evidence purposes the officer will make every reasonable attempt to accommodate an owner's request for a disposition of the vehicle before towing it.
7. Officers will provide the dispatcher with the following information.
 - (a) Location of the vehicle
 - (b) Provide the make, model, and year of the vehicle to be towed.
 - (c) Provide the license number of the vehicle.
 - (d) Provide any additional information, when known, that may require special handling and may be of assistance to the towing company. [An example would be the vehicle has no wheels.]
8. When ever practical, an officer requesting a tow will remain at the scene of a tow request pending the arrival of the tow vehicle.
9. A police report does not have to be written for a non-preference tow, unless the officer decides a report is necessary. A report will be written for all other tows.
10. A vehicle towed for evidence, investigation, or for any Criminal, or legal purpose, or for the violation of any ordinance, statue, or law will require that an inventory be made of the vehicle and its contents.
11. All vehicles towed by a member of the department will be checked for outstanding warrants, or for stolen status.
12. Vehicles towed to a tow lot will be released according to the policy of the tow company. [Exception, see 14 below.]
13. Officers will not provide information on the cost of tows.
14. Officers will place a 'police hold' or other release condition on vehicles towed for criminal or for investigative purposes.
15. Officers towing vehicles for investigation of a crime will have the vehicle towed to the appropriate location such as the crime lab, or other secure location. Evidence seals will be placed on the vehicle and the vehicle will be secured if possible. Keys will be placed into evidence. The cost of evidence tows will be the responsibility of the police department.

COQUILLE INDIAN TRIBAL CODE
Part 6 – Public Safety and Justice Chapter 677
Towing

16. Officer having a vehicle towed for any other department purpose may request that the vehicle be towed to the Tribal shops building at the top of Miluk and assist in placing the vehicle inside in a secure location. Cost for this type of tow will be the responsibility of the police department.

17. When vehicles are towed at department expense officers will obtain a copy of the tow bill. One copy will be attached to the police report and one copy will be placed in the in-basket for processing and payment.

18. If a tow company that has not been dispatched arrives at the scene, the officer(s) will request that they not solicit tow business.

19. Vehicle inventories are made to identify personal property, for the safety and protection of such property, to prevent false claims for lost or stolen property, to located toxic, flammable, explosive, or any other dangerous material, or substances.

20. Generally inventories are made of all personal property in plain view, in open containers, closed containers, open items found in any unlocked compartments including but not limited to the vehicle trunk, glove box and car top carriers.

21. If the person in possession of the vehicle consents to entry to a locked or secured area, or provides the keys to a locked area, or leaves the keys in the vehicle to locked areas, these areas may also be inventoried for safety and security reasons.

22. After completion of the police report the officer will also complete a letter of notice of tow and impoundment, indicating the reason for the tow, and provide information or release of the towed vehicle, and also information on how to request a wrongful hearing.

Dated this [00] TH day of [month], 2001.
