

PROPERTY PROTECTION FOR INDIVIDUALS INVOLVED IN UNUSUAL  
HIGHWAY EVENTS

9.01 PURPOSE

The purpose of this regulation is to establish policy and guidelines for the protection of property of individuals involved in unusual highway events.

9.02 SCOPE

This regulation shall apply to unusual highway events during which property owners are incapable of securing or providing for the security of their immediate property. It applies to the protection of vehicles, certain vehicle contents, and personal items from theft or damage. This regulation shall not apply to confiscated, **seized**, or recovered vehicles taken into custody through official actions of the Department and shall NOT be construed to infer that custodial/inventory searches will be conducted of vehicles involved in routine **vehicle crashes**, even though a member arranges for towing.

9.03 DEFINITIONS

For the purpose of this regulation, the below-listed words and phrases shall have the following meaning:

- A. Immediate Property: The vehicle of an individual involved in an unusual highway event, personal items in plain view within the passenger compartment of such vehicle, and the load contents of involved vehicle.
- B. Unusual Highway Event: An incident which renders the involved person(s) incapable of securing or providing for the security of their immediate property. This **will generally be** limited to:
  - 1. **Vehicle crashes.**
  - 2. Medical emergencies.
  - 3. An incident in which the occupant(s) is taken into custody.

- C. Place of Safety: A location selected in accordance with Vehicle Code Sections 3352, Removal of Vehicle by or at Direction of Police, and 7310, Removal of Vehicles and Spilled Cargo from Roadway.
- D. Reasonable Care: Care proportioned to a given situation, its surroundings, peculiarities, and hazards. It is sufficient care so far as the circumstances demand, and is the absence of negligence.

9.04

POLICY

- A. It is the policy of the Department that reasonable care be taken to protect the immediate property of individuals involved in an unusual highway event. Members shall consider the nature of the incident and attending circumstances, and shall exercise the necessary precautions and take appropriate action to protect such property from theft or damage.
- B. Protective actions include, but are not limited to:
  - 1. The involved vehicle being secured and left in a place of safety at the scene.
  - 2. The involved vehicle being towed to a place of safety.
  - 3. The towing service be required to acknowledge the presence of load contents or personal items, in plain view, within the passenger compartment of involved vehicle prior to towing.
  - 4. Personal items, in plain view, within the passenger compartment of involved vehicle be inventoried and taken into protective custody prior to towing such vehicle or prior to securing the vehicle at the scene.
  - 5. The shipper or carrier of a load being contacted to arrange for security and disposition of load contents and transporting vehicle or being informed as to what action has already been taken.
- C. In all cases, the action taken shall be recorded in the appropriate Department report. Additionally, the action taken shall be in accordance with existing statutes and Department regulations pertaining to vehicle reporting and disposition, property recording, and emergency towing of vehicles.