


<p><b>RABUN COUNTY SHERIFF'S OFFICE</b></p>  <p><b>General Order Number: 4.02</b></p>	<p><b>Date of Issue</b></p> <p><b>2/23/2016</b></p>	<p><b>Effective Date</b></p> <p><b>2/23/2016</b></p>	<p><b>Revision Date</b></p>
<p>Subject: <b>ABANDONED / UNATTENDED VEHICLES</b></p>	<p>Amends:</p>		<p>Rescinds:</p>
<p>Index as:</p> <ul style="list-style-type: none"> <li>Abandoned Vehicles</li> <li>General Policies and Procedures</li> <li>Unattended Vehicles</li> <li>Vehicle Ownership Information Form</li> </ul>	<p>State Certification Standards: 5.14</p>		
<p>Special Instructions:</p>			

**PURPOSE**

The purpose of this General Order is to prescribe the policies and procedures of the Rabun County Sheriff's Office in regards to abandoned or unattended vehicles.

**STATEMENT OF POLICY**

It shall be the policy of the Rabun County Sheriff's Office that efforts are made to follow the guidelines in the removal of abandoned or unattended vehicles and that the general public's safety is not compromised for an abandoned or unattended vehicle remaining at its location.

**DISCUSSION**

An abandoned or unattended vehicle can at times be a traffic or safety hazard. With this in mind, officers of the Rabun County Sheriff's Office will need to balance the safety of the general public with the interests of a property owner in determining if an abandoned or unattended vehicle should be removed.

## DEFINITIONS

ABANDONED VEHICLE — Any vehicle or trailer that meets the criteria established in O.C.G.A. 40-11-1.

LIST WRECKER — A wrecker or tow service that is on an approved list and kept on file at the Rabun County Sheriff's Office. These companies will be used on a rotational basis as determined by the Sheriff or his designee(s).

O.C.G.A. — The Official Code of Georgia Annotated.

### I. ABANDONED OR UNATTENDED VEHICLES

- A. To be considered abandoned, the vehicle or trailer must be left unattended:
  - 1. On a public road or property for at least five days. (O.C.G.A. 40-11-1);
  - 2. On a state route for at least 24 hours. (O.C.G.A. 40-6-206);
  - 3. On an interstate for at least 8 hours (O.C.G.A. 40-6-206); or
  - 4. If the vehicle is an immediate traffic hazard.
- B. When an abandoned vehicle is identified, deputies will:
  - 1. Request a vehicle registration check (10-28/10-29) to determine ownership and whether the vehicle has been reported stolen;
  - 2. Make an unattended vehicle check to determine that the vehicle does not contain an injured or incapacitated person (O.C.G.A. 40-11-3.1);
  - 3. Attempt to make contact with the listed owner to determine the status of the vehicle and advise the person of the legal requirement to move the vehicle within a specified time frame;
  - 4. Notify the Rabun County Central Communications Center of the actions taken so that a record can be retrieved of the deputies actions if any questions arise in the future.

### II. REMOVAL OF ABANDONED OR UNATTENDED VEHICLES

- A. Whenever a deputy locates a vehicle that poses a threat to public health or safety, he/she will have the vehicle removed. (O.C.G.A. 40-11-3(b)). Examples of conditions that may constitute a threat to the public are when a vehicle is:
  - 1. Situated in such a manner to either block other moving traffic or is causing a traffic hazard; or
  - 2. Parked in a fire lane or other location that would seriously impede emergency vehicles.
- B. Other situations requiring the removal of a vehicle are:
  - 1. Driven by a person arrested for an offense that requires the offender's appearance before a magistrate without unnecessary delay. (O.C.G.A. 40-6-206);

2. Stolen or taken without the owner's consent. (O.C.G.A. 40-6-206);
3. Driven without proper insurance. (O.C.G.A. 40-6-206);
4. Otherwise abandoned or unattended, has been properly tagged, and the minimum time to be abandoned or unattended at that location has been exceeded. (O.C.G.A. 40-6-206); and
5. To safeguard the property from further damage or vandalism.

### **III. FOLLOW-UP ACTIONS AND REPORTS**

- A. When a deputy determines that a vehicle requires immediate removal or has been in the location for an excessive period of time, he/she will take the following actions:
- B. Notify Rabun County Central Communications Center of the location; request a current vehicle registration check (10-28/10-29), and request an appropriate list wrecker;
- C. Initiate an Incident Report;
- D. Have the abandoned vehicle entered through GCIC and an abandoned vehicle;
- E. Complete a Rabun County Sheriff's Office Vehicle Inventory Form to attach to the Incident Report; and
- F. Remain on the scene until the vehicle is removed.

### **IV. REMOVAL OF ABANDONED OR UNATTENDED VEHICLES FROM PRIVATE PROPERTY**

Abandoned vehicles shall not be removed from private property unless:

- A. The vehicle is wanted in connection with a crime; or
- B. The vehicle constitutes an immediate danger to life and/or property (i.e., parked in a fire lane or other location that would seriously impede emergency vehicles).

### **V. STOLEN VEHICLES**

If a deputy locates a vehicle that has been reported stolen or checks the registration of a vehicle that returns stolen, the deputy will:

- A. Advise Rabun County Central Communication of the location of the vehicle and request that an investigator with the Criminal Investigations Division be advised;
- B. If an investigator cannot respond within a reasonable amount of time, the vehicle will be towed to the wrecker company lot or the Rabun County Impound Lot for safekeeping; and
- C. The owner shall be notified of the vehicle's status as soon as possible.

## VI. SEIZURE OF VEHICLE

Should a vehicle be otherwise wanted in connection with a criminal investigation, the deputy will notify the Criminal Investigations Division and request further instructions about the recovery/storage of the vehicle.

## VII. RELEASE OF VEHICLE INFORMATION TO TOWING COMPANIES

Release of information concerning the ownership of vehicles removed by deputies of the Rabun County Sheriff's Office shall be limited to the following:

- A. Deputies who have contacted Rabun County Central Communications for the use of a "List" towing company will provide the tow truck operator with a completed copy of the "Vehicle Ownership Information Sheet"; and
- B. Any authorized tow company employee who requests vehicle ownership information will need to present a copy of the properly completed MV603 report in person.



By Order of the Sheriff: **Chad K. Nichols**  
Sheriff, Rabun County