



Buncombe County Sheriff's Office

	Policy Number: 317	Effective Date: 09/06/2023
	CALEA Standard: 61.4.3	
	Subject/Title: VEHICLE TOWING AND TOW SERVICES PROCEDURES	
	Rescinds: Towing Procedures Policy 3.16	
	Approved: Sheriff Quentin Miller	
	Approved/Date: 08/23/202, REV. 09/19/2025	

Purpose

The purpose of this policy is to establish standard procedures for towing, releasing, and accounting for motor vehicles that are towed by Sheriff's Office employees. This policy also establishes guidelines for Towing Services that want to be on the Sheriff's Office tow rotation schedule.

Policy Statement

It is the policy of the Buncombe County Sheriff's Office (BCSO) to tow vehicles as necessary using standardized procedures. BCSO will treat all citizens and towing companies fairly as their relationships pertain to the towing of vehicles for law enforcement purposes.

Procedure

I. Prohibitions

- A. Employees will not suggest, recommend or advise the use of any vehicle towing service to any person as a result of law enforcement business. Employees may provide advice to members of their own family.
- B. Sheriff's Office employees shall not own, co-own or work for any towing service on the rotation schedule without the direct approval of the Sheriff.
- C. No employee shall solicit, receive or accept goods, services or money from any towing service. Violation of this policy will subject the employee to disciplinary action and/or criminal prosecution, and the towing service will be subject to removal from the rotation schedule.



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D. Typically, a deputy will not drive or operate private vehicles while performing official duty. However, situations may arise where the deputy may need to move a vehicle. A deputy's discretion shall be utilized in such cases.

II. Authority

- A. Deputies may tow vehicles from public property when required by a legitimate law enforcement purpose. This may include abandoned or junked motor vehicles presenting a traffic hazard. [61.4.3 b]
- B. Deputies may only tow a vehicle from private property during the performance of their duties. This may include recovery of stolen vehicles, vehicles used in the commission of a crime, pursued vehicles when the pursuit ends on private property, and those obstructing fire lanes or emergency routes. [61.4.3 b]

III. Determining When to Tow

- A. Deputies may authorize the towing of vehicles for a legitimate law enforcement purpose. This may include but is not limited to, the following circumstances: [61.4.3 b]
 - 1. When a stolen vehicle is recovered, and the owner or a responsible party is not readily available to take possession.
 - 2. When the operator of the vehicle has been arrested, and, in the deputy's opinion, the judgement of the operator is impaired to the extent that the operator is unable to make a rational decision as to the disposition of the vehicle.
 - 3. When a disabled vehicle is creating a hazard or obstructing traffic. When possible, officers should attempt to contact the registered owner of the vehicle prior to towing.
 - 4. Abandoned vehicles on public property that causes a safety hazard.
 - 5. When a vehicle needs to be held for investigative purposes.



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- B. Other than the circumstances mentioned in section III. A. of the policy, deputies may only tow abandoned or junked motor vehicles at the request of the Buncombe County Director of Planning and Development or designee as authorized by Buncombe County Ordinance Sec. 26-283. [61.4.3 b]
- C. If there is any question about a deputy's authority to tow a vehicle from private property, the deputy will obtain approval from a supervisor [61.4.3 b]
- D. If a vehicle is not creating a hazard or obstructing traffic, and the owner/operator of the vehicle is on scene, they should be allowed to decide if the vehicle is to be towed or left at the scene if the situation affords them this discretion; and when in the deputy's opinion, their judgement is not so impaired as to render them incapable of making such a decision. If the owner/operator decides to turn the vehicle over to another person, the arresting deputy must confirm that the person taking control of the vehicle has a valid driver's license and is not under the influence of an impairing substance.

IV. Summoning a Wrecker

- A. When requesting a wrecker, deputies must provide a license plate number or vehicle description and a reason for the tow.
- B. When a deputy removes a vehicle from a public highway, street, road, public or private property, he/she shall request a rotation towing company from communications.
- C. Communication may call a specific towing service at the request of the owner or driver. Owners may move their own vehicles when the situation allows.
- D. The deputy on scene may cancel a responding wrecker at no charge to the Sheriff's Office or vehicle owner if the vehicle does not pose a hazard and the wrecker service has not hooked up the vehicle for towing.
- E. Wreckers must respond within thirty (30) minutes from the time they accept the towing request. If a wrecker exceeds the allowable response time and does not request additional



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time, the next wrecker company on the rotation schedule may be contacted, and the original wrecker company will not be allowed to pick up the vehicle.

F. An incident report must be completed in the MCT for all towed vehicles. [61.4.3 c]

V. Deputy Responsibilities

- A. The authorizing deputy will check the license plate and vehicle identification number (VIN) through the National Crime Information Center (NCIC) database on all vehicles towed.
- B. The authorizing deputy will conduct an inventory of the vehicle's contents and complete a Vehicle Tow & Inventory Form. The inventory will include all items of removable property with value that could be easily stolen.
- C. If an animal is in the vehicle for which the owner or operator cannot assume responsibility, the authorizing deputy will contact Communications and request an Animal Control Deputy. A note must be made on the Vehicle Tow and Inventory Form.

VI. Evidentiary Vehicle Processing

- A. If necessary to protect evidence, deputies may tow a vehicle to the Sheriff's Office or other location where BCSO personnel can further process the vehicle with approval from the Patrol Lieutenant or a Criminal Investigations supervisor. The authorizing deputy must notate the authorizing supervisor in their report or Vehicle Tow and Inventory Form.
- B. During the time the vehicle is in the Sheriff's Office possession, the towing company may not charge a storage fee. When processing is complete, the deputy assigned to the case will notify the towing service initially towing the vehicle to remove it to the company's storage facility at the owner's expense.
- C. Any vehicle stored on the property of the BCSO must display on the driver's side dashboard, visible from the outside of the vehicle, a copy of the Vehicle Tow and Inventory Form.



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VII. Vehicle Holds

- A. A hold may be placed on a towed vehicle for law enforcement purposes. This may include but is not limited to:
1. Vehicles used in the commission of a crime.
 2. Vehicles that require forensics processing.
 3. Drug Seizures
 4. Any other investigative situation requiring a hold.
 5. DWI and Felony Flee to Elude- **Follow Seizure and Towing Procedures in BCSO Policy 319-Driving While Impaired, Sections XII – XV and BCSO Policy 331-Currency and Asset Forfeiture, Section G.**
- B. A Patrol Lieutenant or Criminal Investigations supervisor must approve vehicle holds, including all vehicles towed as evidence.
- C. Vehicles towed as evidence must be stored in the Sheriff's Office Property and Evidence lot only. The authorizing deputy will need to contact Property and Evidence staff for access.
- D. Vehicles towed as evidence must be documented via completing a property voucher.
- E. Vehicles classified and marked as evidence require approval from the District Attorney before being released to the owner. The release of evidentiary vehicles must be coordinated with the Sheriff's Office Property and Evidence Unit.
- F. Vehicles towed for investigative purposes may be towed to BCSO at Leicester Crossing and sealed with tape. Upon completion of investigative tasks, the authorizing deputy or detective will release the vehicle to the owner or Towing Service that towed the vehicle in. The Property and Evidence Unit will not be responsible for these vehicles.



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VIII. Owner Notification

- A. N.C. Gen. Stat. 20-219.11 requires deputies to provide the last registered owner of any towed vehicle with a valid plate or registration with the following information:
1. A description of the vehicle.
 2. The place where the vehicle is stored.
 3. The violation with which the owner is charged, if any.
 4. The procedure the owner must follow to have the vehicle returned.
 5. The procedure the owner must follow to request a probable cause hearing on the towing.
- B. If the vehicle's registered owner is present, the authorizing deputy will provide the owner with the above information. Whenever possible, this will be a copy of the Vehicle Tow and Inventory Form.
- C. If the registered owner is not on the scene, the authorizing deputy will make reasonable attempts to notify the registered owner of the vehicle with the information required by N.C. Gen. Stat. 20-219.11.
1. If the vehicle is registered in North Carolina, the deputy must attempt to contact the registered owner as soon as possible and always within twenty-four hours of the towing.
 2. If the vehicle is registered outside of North Carolina, a notification will be attempted as soon as possible and always within seventy-two (72) hours of the towing.
 3. If initial attempts to contact the owner are unsuccessful, written notification must be mailed to the last address listed on the vehicle's registration within the above time frames.



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- D. If a vehicle has neither a valid license plate nor registration, a reasonable effort must be made, including checking the VIN to determine the last known registered owner of the vehicle to provide the information required by N.C. Gen. Stat. 20-219.11.
- E. Owner notification is not required for most seizure and forfeiture situations; see N.C. Gen. Stat. 20-219.10.

IX. Abandoned Vehicles [61.4.3 a]

- A. Deputies may only authorize the tow of abandoned vehicles for the circumstances outlined in section III. A. of this policy.
- B. Other than the circumstances in section III. A. of this policy, according to Buncombe County Ordinance Sec. 26-283, deputies may only tow abandoned or junked motor vehicles from public or private property at the request of the Buncombe County Director of Planning and Development or designee.
 - 1. This request must be in writing to the Sheriff or Sheriff's designee for prior approval.
 - 2. If approved notification requirements and prerequisites outlined in Buncombe County Ordinance Sec. 26-279 and 26-283 must be met.

X. Towing Service and Office of Professional Standards Responsibilities

- A. Each towing service is responsible for providing current information to the Sheriff's Office. Rotation towing service owners may arrange a time with the Office of Professional Standards to review the rotation schedule. Such requests should be made Monday through Friday between the hours of 8:30am and 5:00pm. Appointments will not be made available on weekends or holidays.
- B. Communications will maintain a readily available and updated rotation roster.



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- C. To be on the rotation schedule, towing companies shall submit an application to the Office of Professional Standards (OPS). On request, the OPS will provide a copy of this policy along with BCSO OPS Forms T-1 and T-2 to the owner/operator for this purpose.
- D. The Office of Professional Standards may conduct an inspection to ensure that the towing company meets the requirements of this policy. Unless approved directly by the Sheriff, each towing service must also be certified by and subject to inspection by the North Carolina Highway Patrol. When a formal decision is made, the Office of Professional Standards will notify the towing company. Wrecker equipment and storage facilities are subject to periodic inspections by the Sheriff's Office for compliance with all towing policy requirements.
- E. Owner requested companies do not have to be on the rotation schedule. Telecommunicators will provide the name of the responding wrecker service to the deputy. The deputy shall not release the vehicle to any other wrecker service. Applicable notes of notification and arrival times will be added as comments in CAD by the Telecommunicator. Wrecker response time shall not exceed thirty (30) minutes from the time company is contacted. The requesting deputy is responsible for notifying
- F. All companies placed on the Sheriff's Office towing rotation must provide a wrecker of at least a one (1) ton chassis consisting of a standard factory-built boom assembly (or factory-built roll back assembly) or unit of equivalent or greater strength. It is the responsibility of the company operator to furnish a unit adequate for the movement contemplated. If the rotation unit assigned does not possess an adequate vehicle, it is the operator's duty to notify the Communication Division immediately of their inability to perform the requested task so that another request from the rotation can be made in a timely manner. The Required Equipment and Specification Standards and Standard Wrecker Inspection format used by the North Carolina Highway Patrol will be used in evaluating a wrecker's suitability for service.
- G. An application/information record for each towing company placed on the Sheriff's Office rotation Schedule will be collected by the Office of Professional Standards. The information shall include as a minimum the name, address and contact information of the towing service, a schedule of charges, and any other information considered pertinent. The information will also include the availability of a securely fenced and/or enclosed storage as applicable. The



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information will be distributed to and maintained by Communications (using the Computer Aided Dispatch/ CAD system) to furnish the Sheriff's Officer with this information before being considered for rotation and any time any aspect of the information changes.

H. All wreckers must carry on board as a minimum:

1. Shovel
2. Broom
3. Dollies
4. 3/8", 5116" cable in keeping with NCSHP established guidelines
5. Two (2) ten-pound dry chemical fire extinguishers; and
6. Jumper cables

I. Each wrecker service considered for rotation must be located within Buncombe County. Each wrecker service must provide 24-hour service and allow release of vehicles at any time. Companies shall not release a vehicle to any person who does not possess written authorization for the release. The authorization for release must come from the Sheriff's Office in the form of the yellow release copy of the Tow IN and Storage Report. The vehicle shall be release only to the registered owner unless otherwise noted by the releasing authority of the Sheriff's Office. Identification and ownership documents will be required of owners requesting a vehicle release. Any violation of releasing a vehicle(s). Will result in suspension or removal from the Sherriff's Office towing rotation roster.

J. When towing Sheriff's Office official vehicles, the towing service will have the driver of the vehicle, or the deputy standing by, sign the bill. If a deputy is not standing by, the towing service will obtain a signature from the County Garage personnel receiving the vehicle. This must be done before the bill is forwarded for payment. Also, without exception, when a towed vehicle is seized or confiscated and consigned to the Buncombe County Sheriff's Office impound lot or any other storage facility, a deputy must authorize the tow bill by his/her signature.



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- K. Legal liability and garage liability insurance is required for each towing service company. The towing company shall supply a Certificate of Liability Insurance, and the Buncombe County Sheriff's Office shall be named as the certificate holder. The Office of Standards shall be given fifteen (15) days' notice before any cancellation or modification of the policy. Unless specifically approved by the Sheriff, the following limits of liability shall be met by applicants:
1. Small Wreckers: (\$30,000/60,000/25,000) as required by NCGS 20-279.1
 2. Large Wreckers/Rollbacks: \$750,000 Minimum
 3. Large Wrecker-On Hook or Cargo: \$150,000 Minimum
 4. Small Wrecker-On Hook or Cargo: \$50,000 Minimum
 5. Garage Keepers Insurance: \$100,000 Minimum
- L. All towing services must clearly mark their vehicles with the company's name, and vehicles with removable signage will not be approved.
- M. Towing services may only charge a reasonable fee for tow-in services. Each towing company shall maintain records to justify charges levied. If a change is made involving towing fees, the Sheriff's Office of Professional Standards will be notified within 24 hours. All will be recorded and submitted to the Office of Professional Standards on BCSO Form OPS T-2 initially upon application and any time a change to the rates is made thereafter.
- N. Under no circumstances is the Sheriff's Office or the County of Buncombe responsible for the non-payment of any towing company fee when the service was provided for the driver or requested by the owner of the vehicle.
- O. Before a towing service is placed on the rotation the owner shall sign a statement that they were given a copy of this policy and have agreed to the procedures established in its contents. The Office of Professional Standards will maintain a signed copy of every towing service company in the rotation. The statement will be incorporated into the Towing Services Application Form T-1.



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- P. Each towing service shall keep on file and readily available for inspection the applicable copy of the Buncombe County Sheriff's Office Impounded Vehicle Report together with any receipt or other document signed by the vehicle owner or lawful possessor. These records will be kept on file for a period of three (3) years.
- Q. All wrecker drivers working under this policy are required to maintain a valid North Carolina operator's license appropriate for the type of wrecker they are operating, and each must report to the Sheriff, through the company owner, any criminal charge and/or conviction for a violation of state or federal law within five (5) days of the charge or conviction. A criminal background check for each vehicle operator by the business shall be submitted to the Sheriff's Office upon application.
- R. Each towing company shall submit, by the 5th of each month, a list of vehicles currently possessed by the towing company that have been impounded for the Buncombe County Sheriff's Office. This list shall include the vehicle(s) make, model, color, VIN, registration plate number and state of issue. This list shall be mailed directly to the attention of the Patrol Division Commander of the Sheriff's Office, 60 Court Plaza, Asheville, NC 28801. Failing to submit the list of impounded vehicle(s) by the 15th of each month is a violation of policy, and may result in suspension or removal from the Sheriff's Office towing rotation roster.
- S. Each towing service company must obtain a copy of this policy and abide by its contents. Any violation of the policy, or violation of Federal, state or local ordinance, will result in suspension or removal from the Sheriff's Office towing rotation roster.
- T. The Sheriff shall also reserve the right to remove or suspend a towing service company from the rotation schedule for questionable work ethics and practices, actions by employees that tend to demonstrate a lack of moral character and/or actions and activities that are not in keeping with the guiding principles of the Sheriff's Officer or have an adverse effect on the efforts of the Sheriff's Office to achieve its mission.

Definitions

Abandoned Vehicle: An abandoned vehicle means a vehicle that is left:



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1. Upon a public street or highway in violation of a law or ordinance prohibiting parking; or
2. On a public street or highway for longer than seven days; or
3. On property owner or operated by the county for longer than twenty-four (24) hours; or
4. On private property without the consent of the owner, occupant, or lessee thereof, for longer than two (2) hours.

Junked Motor Vehicle: A junked motor vehicle means a vehicle that does not lawfully display a current North Carolina license plate and:

1. Is partially dismantled or wrecked; or
2. It cannot be self-propelled or moved in which it originally was intended to move.

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