



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Edgardo Garcia
Chief of Police

SUBJECT: IMPOUND AUTHORITIES CARD

DATE: April 23, 2020

BULLETIN #2020-007

REVISED IMPOUND AUTHORITIES CARD Form 200-36c (Rev. 4/20)

The green Impound Authorities card (form 200-36c) is provided to Department personnel as a quick reference guide when selecting an appropriate impound authority. It has not been updated since 1998 and is in need of revision. The following changes are being made:

Stolen Vehicles: The original version listed only one authority section for impounding a recovered stolen vehicle: CVC 22651(c). This section authorizes impounding a recovered stolen vehicle from public highways & lands. It is an inappropriate authority when recovering a stolen vehicle from private property (e.g. shopping center parking lots, private streets, or residential driveways). The proper impound authority when recovering a stolen vehicle from private property is: CVC 22653(a).

30 Day Holds: The new version adds two 30 day holds. The first is for cars seized for reckless driving, exhibition of speed, or speed contests (CVC 23109.2). The second is the 30 day hold for impounding a car pursuant to a warrant based on reckless driving or evading an officer (CVC 14602.7).

No-Parking for Special Events: CVC 22651(m) has been added. It authorizes impounding a vehicle from areas that have been posted as No-Parking for special events (e.g. parades).

Vehicles for Sale: Citing and impounding of vehicles because they are parked principally to display for sale, was ruled unconstitutional in *Brokaw v. City of Los Angeles* (2000). Therefore, CVC 22651.9 is being deleted from the card.

NOTE: The Impound Authorities card is provided as a quick reference and is not a substitution for reading the actual codes. Nor does it relieve personnel from selecting appropriate impound authority codes in compliance with statute(s) and policy.

A handwritten signature in black ink, appearing to read "Edgardo Garcia", with a long horizontal flourish extending to the right.

Edgardo Garcia
Chief of Police

EG:PC

ATTACHMENT: Impound Authorities Card – form 200-36c (Rev. 4/20)

ATTACHMENT

FORM 200-36c

Revised April 2020

Impound Authorities

- 22651 (a) Obstruct a bridge, viaduct, causeway, tube / tunnel
(b) Obstruct traffic – causing a hazard
(c) Stolen vehicle recovered from a public highway / land
(d) Blocking a driveway
(e) Blocking a fire hydrant
(g) Incapacitated driver
(h) Driver arrested
(i) Five parking cites or more
(k) Parked 72 hours or more in violation of local ordinance
(l) Temporary No-Parking zone
(m) Posted No-Parking for a special event
(o) Registration expired over 6 months
(p) Non 30 day hold for 12500 & 14601
(r) Illegally parked and blocking a legally parked vehicle

200-36c (Rev. 4/20)

30 DAY HOLDS

- 14602.6 30 day hold for 12500 & 14601
14602.7 30 day hold with a warrant for reckless / evading vehicle
23109.2 30 day hold for reckless / speed contest / exhibition of speed

ABANDONED VEHICLES

- 22669 (a) Abandoned – as defined in 22523 CVC
22669 (d) Abandoned – absent parts necessary for safe use on roadway

OTHER AUTHORITIES

- 22651.5 Alarm or horn sounding
22652 Removal from a disabled parking stall
22653 (a) Stolen vehicle recovered from private property
22655 Removal for investigation of 20002
22655.3 Removal for investigation of 2800.1
22655.5 Impounded as evidence
22656 Removal from RR / Light Rail when within 7½ feet of rail

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