

12.255 DELINQUENT VEHICLES: IMPOUNDING/PROCESSING DELINQUENT TAGS

Reference:

Cincinnati Municipal Code 513-1 - Impoundment of Motor Vehicles
Standards Manual - 61.1.2, 61.4.3
Procedure 12.031 Automatic License Plate Recognition (ALPR)

Information:

When owners do not respond to parking infraction citations and the citations become delinquent, the Records Unit will publish the license numbers of such vehicles on the Delinquent Vehicle List, which is distributed every 30 days.

Procedure:

- A. Any police officer locating a delinquent vehicle will query Police Communications Section (PCS) by radio for registration by VIN and by license plates to determine the delinquent status and owner of the vehicle. If the registration by VIN and license plates do not match, further investigation is indicated. After verification, the officer will take the following steps to process the vehicle:
 1. If the vehicle is unattended and the officer is unable to locate the owner/driver, he will:
 - a. Notify PCS via Signal 38.
 - b. Initiate a Towing Report (Form 369).
 - c. Wait with the delinquent vehicle until the wrecker arrives.
 - d. Give a copy of the Form 369 to the wrecker driver and wait until the vehicle is actually towed from the scene.
 2. If the vehicle is attended (the driver or owner is in or around the vehicle and makes his presence known before the wrecker leaves the curb and enters a moving traffic lane):
 - a. The officer can direct or escort the driver to the district or the Hamilton County Municipal Court Clerk's Office to satisfy the delinquent tags.
 - b. If the driver cannot satisfy the tags without delay at the Hamilton County Municipal Court Clerk's Office, or if it is more convenient for the officer, direct and escort the driver with the vehicle to the nearest district.
 - c. Inform the driver that his vehicle will be impounded if he does not satisfy the delinquent tags and return to the district with proof within a specified time.
 - 1) Police personnel should consider existing circumstances

(availability of parking spaces at the district, time of day, etc.) when determining what is a reasonable time before impounding the vehicle.

- d. If the driver fails to return with proof that tags were satisfied within the specified time, remove the vehicle to the Impound Unit.
3. The investigating officer has the discretion at any time to impound any delinquent vehicle when circumstances dictate. The officer is responsible for the safety of the operator and occupants when impounding an occupied delinquent vehicle. The officer will transport the occupants if needed to a safe location such as a residence or nearest police station.
- B. The type and number of delinquent violations can be verified by running a Query Outstanding Ticket (QOT).
1. Any vehicle appearing on the delinquent list has more than one delinquent tag. The fine doubles for each delinquent tag.
 2. In order to redeem the delinquent vehicle, the driver/owner must:
 - a. Pay all delinquent tags at the:

Hamilton County Municipal Court Clerk's Office - Room 112
Hamilton County Justice Center
314 East Ninth Street
 - b. If the owner of a delinquent vehicle wishes to contest his delinquent citations, he may register them for court.
 - c. If warrants have been issued, bond must be posted on each.
 3. The owner/driver may retrieve his vehicle held at a district by presenting proof the tags have been paid or registered for court.
 4. The owner/driver may retrieve his vehicle held at the Impound Unit, 1810 South Street, by presenting proof the tags have been paid or registered for court, and by paying impoundage fees.
- C. By ordinance, the owner of any vehicle impounded under Cincinnati Municipal Code Section 513-1 must be given notice of such impoundment. Make the notice personally or by regular mail sent to the last known address of the registered owner.
1. The impounding officer will attempt to notify the owner of the vehicle in person or by telephone of the impoundment, providing such notification can be made during the impoundment and investigation process.
 - a. The officer will indicate notification has or has not been made in the space provided on the Form 369.

- b. If the impounding officer is unable to notify the owner during the impoundment/investigation process, the officer will note on the Form 369 under "Remarks & Explanation" any information gained relative to the owner's current address or telephone number.
 - c. Impound Unit personnel are responsible for the notification after the vehicle is received at the Impound Unit.
2. The notification will consist of:
- a. The vehicle has been taken into custody and stored at (location).
 - b. The reason for impoundment.
 - c. The procedure for obtaining release of the vehicle.
 - d. The accrued charges for impoundment and storage.
 - e. That the persons claiming the vehicle can challenge the validity of the impoundment at a hearing before the sworn officer on duty at the Impound Unit.
 - f. That failure to obtain release of the vehicle within 20 days after impoundment may cause it to be sold at auction.