

# Tow or Impound Vehicle with Obstructed VIN

## Scenario

- Vehicle legally parked on the public way.
- Vehicle doors are locked.
- Plates are missing or do not match vehicle.
- Driver side front windshield VIN plate is visually obstructed.
- No indicators (note, signage, etc) are present to provide ownership of vehicle.
- No person present at scene to confirm ownership of vehicle or provide access to the interior of vehicle.

## The Question

- Can you tow/impound the vehicle for confidential VIN check?

## Comments

- Directives state you have to include the key or key fob with the tow report, which is not applicable since no one can provide this in this scenario.
- In this scenario, the vehicle is subject to seizure and impoundment according to [MCC 9-76-160\(d\)](#)
- Tow or Impound Report
  - see also [Vehicle Relocation / Tow / Impound](#)
  - Either report can be used, unknown which is the correct report
    - There has been instances of successful vehicle removals utilizing either Tow or Impound Report, check with your district's operating procedure.
  - Possible statute [MCC 9-76-160\(a\)\(7\)](#) - It is unlawful for any person, in an effort to hinder a peace officer from obtaining the registration or plate number for the enforcement of a violation of the Illinois Vehicle Code ... or to knowingly cause such plate to be obstructed ...
    - **Must include specific articulable facts evidencing a specific effort to hinder a peace officer from obtaining the plate number**
    - [Special Order S07-03-05](#)
  - Narrative should also include applicable portion of Special Order S07-03-05
- Case Reporting
  - Still is a question as to the need of documenting this on a Case Report
    - I personally would document this on a case report, so it can be digitally searched, where as an Impound/Tow Report is still on paper.
  - Possible IUCR's
    - 5002 - Other Crimes Involving a Motor Vehicle - Other Offense - Other Vehicle Offense

## Alternative to Taking the Vehicle

- If the vehicle appears to be abandoned:
  1. Write a parker for [MCC 9-80-110](#) Abandoned Vehicles.
    1. A vehicle shall be deemed to have been abandoned if it

1. is in such a state of disrepair as to be incapable of being driven in its present condition or
  2. has not been moved or used for more than seven consecutive days and is apparently deserted or
  3. has been left on the public way without state registration plates or a temporary state registration placard for two or more days.
2. Then submit a City Service Request for Abandoned Vehicles on one of the methods below:
1. Online - [Chicago City Service Request](#)
    1. Submitting online is better because photos can be submitted.
  2. Paper - [CPD-21.208](#)

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