

## Vehicle Tow Hearings

### 503.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for vehicle tow hearings.

### 503.2 POLICY

When a vehicle is towed at the direction of any member of the Easton Police Department, a hearing will be conducted upon request.

### 503.3 HEARING OFFICER

The Chief of Police will identify the person who will act as a hearing officer when the decision of a member to tow a vehicle is contested. The hearing officer in any case must be a person other than the member who directed the vehicle to be towed.

### 503.4 HEARING PROCESS

The registered or legal owner of the vehicle or his/her agent may request a hearing when a vehicle is towed or stored at the direction of any member of the Easton Police Department.

The failure to request a hearing in a timely manner or to attend a scheduled hearing may be considered a waiver of and satisfaction of the hearing.

A timely requested hearing shall be conducted within 48 hours of the request, excluding weekends and holidays.

Any relevant evidence may be submitted and reviewed by the hearing officer to determine the validity of the tow of the vehicle.

### 503.5 DECISION

After consideration of all the evidence, the hearing officer shall determine whether the Department has established the validity of the tow or storage by a preponderance of the evidence.

- (a) If a decision is made that reasonable grounds for the tow have been established, the hearing officer shall advise the requesting party of the decision.
- (b) If a decision is made that reasonable grounds for the tow have not been established, the vehicle shall be released immediately. Towing and storage fees will be the responsibility of the Department (Md. Code TR § 26-306.)