

**To the Mayor and Members of the City Council****June 4, 2013**

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SUBJECT: FORT WORTH POLICE DEPARTMENT AUTO POUND OPERATIONS AND FEES

This report is in response to a May 7, 2013 request from Mayor and City Council for information on Auto Pound fees and operations.

The Fort Worth Police Department (FWPD) Auto Pound is a 24/7 operation providing internal and external customer support for Policing Operations. Police officers may request the towing of a vehicle for a variety of reasons, including accident, theft, criminal activity, illegal parking, abandonment, etc.

If a recovered vehicle is operable, the officer on-site officer takes steps to contact the owner and give him/her the opportunity to retrieve the vehicle prior to impoundment. Police officers may also, at their discretion, request an investigative hold on a vehicle. In that case, the vehicle is impounded so as to allow other sections of the FWPD to investigate criminal activities tied to it. Once all investigative activities are completed, the on-duty Auto Pound supervisor is informed, the hold is released and the owner is informed that s/he may pick up the vehicle.

Fees applicable to the towing of vehicles are:

- Tow Truck- \$ 135.00
- Administrative/Preservation Fee - \$20.00
- Storage Fee - \$20.00
(Storage fees are calculated in 24 hour increments from either the time the vehicle is impounded or the time that the last investigative hold is released until the time the vehicle is retrieved by the owner.)
- Certified Letter - \$50.00 after 48 hours of being impounded or released from investigative hold

Section 18.23(a) of the Texas Code of Criminal Procedure states that “[a] law enforcement agency that directs the towing and storage of a motor vehicle for an evidentiary or examination purpose shall pay the cost of the towing and storage.” However, Section 18.23(c) provides that “Subsection (a) does not require a law enforcement agency to pay the cost of:

(1) towing or storing a motor vehicle for a purpose that is not an evidentiary or examination purpose, including towing or storing a vehicle that has been abandoned, illegally parked, in an accident, or recovered after being stolen;...”

All Auto Pound customers are provided documentation on how to request a Tow Hearing with their district’s Justice of the Peace. The FWPD does not regularly waive fees without an order from a Justice of the Peace, since the FWPD has to recover the operational costs associated with the Auto Pound.

For additional information, please contact Bob Hicks, Public Safety Support Manager, at 817-392-3510.

Tom Higgins
City Manager