

BATON ROUGE POLICE DEPARTMENT

General Order
No.261

Effective Date
06-01-1997

Revised Date
01-01-2001

Subject: Abandoned or Inoperative Motor Vehicles

Reviewed 9/1/16

POLICY

It is the policy of this department to vigorously enforce the Abandoned or Inoperative Motor Vehicle Ordinance. The division with primary responsibility for this enforcement is the Impound Division. However, any other officer observing a motor vehicle that is abandoned or inoperative is encouraged to take appropriate action.

The following procedure assumes the vehicle in question is not a traffic hazard, merely abandoned.

DEFINITIONS

From Baton Rouge City Code Sec. 12:501:

"Inoperative" means incapable of self-propelled movement. A vehicle that is not currently and validly registered for operation or use on the highways and streets, as required by law, is presumed to be inoperative.

"Owner of the premises" means the owner of the land on which the vehicle is located, as shown on the last equalized assessment roll.

"Owner of the vehicle" means the last registered owner.

"Vehicle" means a device, by which any person or property may be propelled, moved, or drawn upon a highway, except a device moved by human power or used exclusively upon stationary rails or tracks.

"Antique Vehicle" means any motor vehicle 25 years old or older, which is substantially in its original condition. These vehicles must be registered as antiques and display antique license plates.

"Enforcing Agency" means the Chief of Police, Sheriff, or Director of Public Works, as well as their duly authorized agents.

"Abandoned" - it shall be prima facie evidence that the vehicle has been abandoned when it is situated on the private property of another, without such person's permission, for a period of thirty (30) days or longer.

PROCEDURES

I. Vehicles in the Roadway

- A. If an officer observes or is notified of a vehicle fitting the above description, he shall place a Two-Day Notice on the windshield of the vehicle. After the two -day period has expired it is the responsibility of the officer to see if the vehicle owner/operator has complied with the provisions of the notice. If so, no further action is necessary.

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- B. If not, the investigating officer shall call an unspecified wrecker to tow the vehicle. The officer shall complete an impounded vehicle report specifying the name of the wrecker service and where the vehicle was towed.

II. Private Property

- A. It is the property owner's option to have the vehicle towed by private tow.
- B. If the property owner does not have the vehicle towed, he may contact the Impound Division and sign an Affidavit/Hold Harmless Agreement. Impound officers shall then call an unspecified wrecker to tow the vehicle.

III. Abatement of Public Nuisance

- A. If someone complains of an Abandoned or Inoperative motor vehicle on another's property, officers shall refer the complainant to the Impound Division (389-3816) for follow up.
- B. Impound officers shall contact the offending property owner and issue an official "Notice to Abate a Public Nuisance" to the owner of the property and/or the owner of the vehicle and provide for compliance within fifteen days.
- C. Within the 15-day period after service of the notice, the owner of the premises and/or the vehicle shall abate the nuisance by (1) removing the nuisance from the premises or into a completely enclosed building, or (2) commencing repairs to the vehicle which shall be completed within thirty (30) days. If after the fifteen-day period the nuisance has not been abated, the vehicle shall be removed via unspecified wrecker and the property owner may be issued a summons.