



# NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

## CHAPTER: 61.13.1

### TITLE: ABANDONED AND NUISANCE VEHICLES

**EFFECTIVE: 01/14/2018**

**REVISED: Replaces Policy 524**

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#### PURPOSE

This Chapter covers the process for the removal, recording and storage of motor vehicles in violation of abandoned vehicle laws and nuisance vehicle laws (**La. R.S. 32:471 thru 476** and **New Orleans City Code § 66-101 thru 116**).

#### DEFINITIONS

**Abandoned Motor Vehicle**—Any motor vehicle that is:

- (a) Left upon a public street or highway in violation of a law or ordinance prohibiting parking.
- (b) Inoperable and is left unattended on public property for more than three days, or
- (c) Is inoperable and left unattended on the shoulder or right-of-way of an interstate or a four-lane highway for more than three days, or
- (d) That has remained on private property without the consent of the owner or person in control of the property for more than 24 hours.
- (e) Left on property owned or operated by the City for a period of more than three days.
- (f) Left on private property without the consent of the owner, person in control of the property, occupant or lessee thereof for more than three days. (**New Orleans City Code § 66-102**)

**Nuisance Vehicle**—A motor vehicle on public or private property that is determined by the policing authority to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:

- (a) A breeding ground or harbor for mosquitoes or other insects or a breeding ground or harbor for rats or other pests; or
- (b) A point of heavy growth of weeds or other noxious vegetation over eight inches in height; or
- (c) A point of collection of pools or ponds of water; or
- (d) A point of concentration of combustible items such as gasoline, oil, other flammable or explosive materials including, but not limited to, boxes, paper, old clothes, rags, refuse, or any other combustible materials or objects of a like nature; or
- (e) One which has parts thereof which may fall and injure members of the public or one which has parts which may fall or be closed and become an area of confinement, such as a trunk lid or door, which may not be released for opening from the inside; or
- (f) One which is so situated and located that there is a danger of the vehicle falling, rolling, turning over, or creating an unsafe movement such as unattended, blocked or jacked vehicles; or

- (g) A point of collection of garbage, food waste, animal waste, or any other rotten or putrescent matter of any kind; or
- (h) One which has parts thereof which are jagged or contain sharp edges of metal or glass; or (sic). (**New Orleans City Code § 66-102**)

### **MARKING ABANDONED AND NUISANCE VEHICLES**

1. Vehicles on public roadways suspected of being abandoned in violation of Louisiana laws shall be marked and noted on the New Orleans Police Department marked vehicle card or documented via the computer aided dispatch (CAD) system. No item number is required at this time.
  - (a) The vehicle under investigation shall be checked through NCIC to determine whether or not the vehicle has been reported stolen.
  - (b) If the vehicle is reported as stolen, the necessary reports shall be completed and the incident handled as per department regulations. (See also: **Chapter 42.10 – Auto Theft Investigations**).
  - (c) If the vehicle is not reported stolen, the officer will attempt to contact the registered owner through Communications Services and notify him/her of the vehicle's whereabouts and condition.
  - (d) If the vehicle has been stripped or is in a “junk” condition, the appropriate city agency responsible for the removal of junk vehicles shall be notified through Communications Services and a request made to have the vehicle removed by the Department of Public Works (DPW) by calling the Towing Allocation Officer (TAO – Unit 7200 or 658-8100).
  - (e) A police report (EPR) shall be completed on all vehicles towed or removed from a city street on the authority of an investigating officer. All required forms necessary for the towing of a vehicle shall be completed and made part of the report.
2. Officers shall post a notice on the windshield of a suspected abandoned vehicle directing that the vehicle be removed from said location within 48 hours (**La. R.S. 32:473.1(A)** and **New Orleans City Code § 66-105**).
3. All marked vehicle cards shall be submitted to the SOD – Traffic Section for computer data entry in the Towed Vehicle Database found on the NOPD website ([NOPD.org](http://NOPD.org)) under **Forms / Towed Vehicle Database** unless documented via the CAD system.
4. If a vehicle that was marked as abandoned has been moved or the markings have been removed during the 48-hour observation period, the vehicle shall be marked again for the violation, the 48-hour observation period re-started and a marked vehicle card completed and forwarded to the SOD - Traffic Section.
5. An abandoned or nuisance vehicle which has been documented and a notice has been placed on the vehicle (windshield) by the Department of Public Works (DPW) for the City may be placed on the expedited towing list by notifying Unit 7200 the Towing Allocation Officer or calling 658-8100.
6. An abandoned or nuisance vehicle on the interstate system in New Orleans are handled by the Louisiana State Police and the Louisiana Department of Transportation.
7. All-Terrain Vehicles (ATV) and off-road four wheelers and motor cycles (MC) which are not licensed and operating on City streets in New Orleans are subject to confiscation and towing provided they have not been reported stolen.

**ABANDONED VEHICLE REMOVAL, TOW AND IMPOUND**

8. Any abandoned vehicle to be towed should be removed by the authorized towing service, and a **Department Impoundment Form** (Form 10) shall be completed by the officer authorizing the removal of the vehicle. (**Louisiana Towing and Storage Act R.S. 32:1711 through 32:17:35 and New Orleans City Code § 66-108**).