Department of the Army, DoD

Duty Judge Advocate, before searching.

(2) The owner or operator is present. This situation can occur during either a traffic or criminal incident, or if the operator is apprehended for a crime or serious traffic violation and sufficient probable cause exists to seize the vehicle. This situation could also arise during cases of intoxicated driving or traffic accidents in which the operator is present but incapacitated or otherwise unable to make adequate arrangements to safeguard the vehicle. If danger exists to the Military Police or public or if there is risk of loss or destruction of evidence, an investigative type search of the vehicle may be conducted without search authority.

(f) Disposition of vehicles after impoundment.

(1) If a privately owned vehicle is impounded for evidentiary purposes, the vehicle can be held for as long as the evidentiary or law enforcement purpose exists. The vehicle must then be returned to the owner without delay unless directed otherwise by competent authority.

(2) If the vehicle is unclaimed after 45 days from the date notification was mailed to the last known owner or the owner released the vehicle by properly completing DD Form 2505, the vehicle will be disposed of by one of the following procedures:

(i) Release to the lienholder, if known.

(ii) Processed as abandoned property in accordance with DOD 4160.21-M.

APPENDIX A TO PART 636—REFERENCES

Publications and forms referenced in this part may be viewed at the Office of the Provost Marshall on any major Army installation or may be obtained from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161.

In addition to the related publications listed in appendix A to part 634 of this subchapter, the following publications provide a source of additional information:

FS Reg 190-7, Emergency Vehicle Operation
FS Reg 350-1, Active Component Training
FS Reg 355-14, Post Range Regulation
FS Reg 755-2, Lost, Abandoned, or Unclaimed Privately Owned Personal Property

In addition to the prescribed forms used in appendix A to part 634 of this subchapter, the following forms should be used:

AFZP Form Letter 316, Suspension of Driving Privileges
DA Form 3946, Military Police Traffic Accident Report
DA Form 3975, Military Police Report
DD Form 1928, Alcohol Influence Report
DD Form 2226, DOD Registered Vehicle
DD Form 2504, Abandoned Vehicle Notice
DD Form 2505, Abandoned Vehicle Removal Authorization
DD Form 2506, Vehicle Impoundment Report
DD Form 2507, Notice of Vehicle Impoundment

Other References

Memorandum of Understanding, Subject: Seizure of Assets for Administrative Forfeiture in Drug Related Cases.

APPENDIX D TO PART 636—GLOSSARY

In addition to the terms listed in appendix D to part 634 of this subchapter, the following terms apply:

ATV—All Terrain Vehicles
CID—Criminal Investigation Division
CUCV—Commercial Utility Cargo Vehicle
DDC—Defensive Driving Course
DOD—Department of Defense
DPCA—Directorate of Personnel and Community Activities
DUI—Driving Under the Influence
DCC—Motorcycle Defensive Driving Course
MP—Military Police
NLT—Not later than
USAREUR—United States Army—Europe

PART 637—MILITARY POLICE INVESTIGATION

Subpart A—Investigations

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