



United States Department of the Interior

NATIONAL PARK SERVICE UNITED STATES PARK POLICE

1100 Ohio Drive, SW
Washington, DC 20024

Memorandum No. 1

(Series 2024)

Date: February 6, 2024
To: All United States Park Police Personnel
From: Chief of Police
Subject: Interim Policy for Impounding Unauthorized Commercial Vehicles

I. Policy

The United States Park Police (USPP) shall take appropriate actions to ensure that unauthorized commercial vehicles do not interfere with the use and enjoyment of the National Parks by its visitors, the preservation of natural and cultural resources, or the operations of duly authorized concessioners and vendors.

II. Purpose

This interim policy provides additional guidance for the impounding of unauthorized commercial vehicles on lands administered by the National Park Service (NPS) and supplements the information contained in General Order (G.O.) 2501 – Vehicle Impounds (6-30-2008). To the extent this interim policy conflicts with other policies or procedures, this interim policy shall be followed.

III. Background

It is the policy of Congress and the Secretary of the Interior that commercial services should only be provided to park visitors under carefully controlled safeguards against unregulated and indiscriminate use that could unduly impair park values and resources and endanger members of the public. *See, e.g.,* [54 U.S.C. §§ 100101\(a\), 101912](#); [36 C.F.R. §§ 1.1\(b\), 5.3, 51.2](#). The National Park Service (NPS) implements this policy through the

Memo No. 1 (Series 2024) – Interim Policy for Impounding Unauthorized Commercial Vehicles

issuance of concession contracts, commercial use authorizations, and similar instruments subject to NPS oversight to ensure that park visitors are provided with services and facilities that are safe and sanitary and meet NPS environmental, health, safety, and operational standards as required by federal law and policy.

When an individual uses a vehicle to engage in unauthorized commercial services within park areas, they may impair park values and resources by interfering with the lawful operations of permitted concessioners and vendors, blocking visitors' free movement within the park, and creating additional environmental and sanitation hazards which can potentially damage park property and threaten the public health and safety of both visitors and members of neighboring communities. These unauthorized commercial vehicles and services affect the quality of life in the communities in and around park areas, cause a disservice to park visitors, and inhibit safe traffic flow by occupying vehicle travel lanes, blocking fire hydrants, sidewalks, trails, bicycle lanes, bus stops, and lawfully designated vending parking spaces.

IV. DEFINITIONS

- A. Commercial Services – This term encompasses concessions, vending, commercial use authorizations, and leasing (for both businesses and residential purposes). Some parks or regions may use alternative terms such as concession program or business management.
- B. Commercial Use Authorization (CUA) – A formal approval by the NPS, when a concession contract is not deemed necessary, to conduct commercial activities and provide specific visitor services within a national park unit, including the provision of goods, activities, services, agreements, or other function for park visitors that take place at least in part on lands managed by the NPS; use park resources; and result in compensation, monetary gain, benefit, or profit, when a concession contract is not necessary.
- C. Concession Contract – A duly-authorized and legally binding agreement approved by the NPS that authorizes a person, corporation, or other entity

Memo No. 1 (Series 2024) – Interim Policy for Impounding Unauthorized Commercial Vehicles

to provide accommodations, facilities, and services to park visitors, subject to section 10.2 Concessions of the NPS Management Policies (2006.)

- D. Special Use Permit – A formal authorization for short-term activity that provides a benefit to an individual, group, or organization rather than the public at large; requires written authorization and some degree of management control from the National Park Service (NPS) in order to protect park resources and the public interest; is not prohibited by law or regulation; is not initiated, sponsored, or conducted by the NPS; and is not managed under a concession contract, a recreation activity for which the NPS charges a fee, or a lease.
- E. Unauthorized Commercial Vehicles - Vehicles used in transporting movable property or passengers for a fee or profit, either as a direct charge to another person, or otherwise, or used to provide services to another person, or used in connection with any commercial or business enterprise that has not been duly authorized via a valid and current concession contract, commercial use authorization, or special use permit.
- F. Vehicle – Any carriage or other artificial contrivance – motorized or not motorized, used, or capable of being used, as a means of transportation of property and / or people on land or water.

V. General Provisions

- A. Due to the number of unauthorized commercial vehicles involved in activity within park areas, the number of associated violations, and the threat they pose to public health and safety, unauthorized commercial vehicles and their associated merchandise shall be seized, towed, and subjected to a 72-hour impound hold in order to clear park areas as well as roads covered by [D.C. Code § 10–138](#) (“carriage law”) of violators engaging in these violations and to prevent repeated offenses.
- B. Only Sergeants and above have the authority to approve impoundment and place a hold on the unauthorized commercial vehicle(s) for 72 hours.

Memo No. 1 (Series 2024) – Interim Policy for Impounding Unauthorized Commercial Vehicles

- C. The USPP may participate in coordinated enforcement actions in conjunction with neighboring law enforcement agencies, local regulatory authorities, and / or public health authorities if there is a nexus between the coordinated efforts and illegal activity within park areas.

VI. Procedures

- A. When an on-scene law enforcement officer (LEO) has reasonable suspicion that a vehicle is involved in unauthorized commercial services, the LEO shall advise Dispatch and attempt to contact the vehicle operator or others associated with the vehicle to determine whether they possess the legitimate permits, licenses, or other authorizations prior to initiating impound procedures.
- B. The LEO shall provide the make, model, license plate information, and / or vehicle identification number (VIN), as appropriate, to Dispatch to enter the vehicle's information into the appropriate vehicle impound database.
- C. If the vehicle operator or others associated with the vehicle are unable to provide the appropriate authorizations, or if the vehicle is unattended or abandoned, the LEO shall seek approval to impound the unauthorized commercial vehicle from their supervisor or Shift Commander if their supervisor is not available.
- D. If the supervisor has given their approval to impound the unauthorized commercial vehicle, the on-scene LEO and supervisor (or Shift Commander if the supervisor is not available) shall follow the impounding procedures in G.O. 2501.05(D.)(1.) except where this interim policy deviates from it.
- E. Dispatch shall contact the appropriate tow company when the on-scene LEO, their supervisor, or the Shift Commander request it.

VII. Roles and Responsibilities

- A. Station / Unit Commanders, where appropriate, shall be responsible for

Memo No. 1 (Series 2024) – Interim Policy for Impounding Unauthorized Commercial Vehicles

designating a liaison LEO to coordinate the sharing of information related to commercial services on park areas.

- B. Supervisors shall be responsible for authorizing and approving the impounding of unauthorized commercial vehicles.
- C. Dispatch Operations Unit is responsible for tracking vehicles impounded by USPP by entering the vehicle into the appropriate vehicle impound database to track the location of the vehicle.

VIII. References and Related Documents

- A. [D.C. Code Chapter 2. United States Park Police](#)
- B. [D.C. Code § 10–138. Authority to make rules and regulations for care of public grounds — Extension of sidewalks and carriageways](#)
- C. [eCFR :: 36 CFR 51.2 -- What is the policy underlying concessions contracts?](#)
- D. [eCFR :: 36 CFR 5.6 -- Commercial vehicles.](#)
- E. [eCFR :: 36 CFR 1.6 -- Permits.](#)
- F. [Management Policies 2006 \(nps.gov\)](#)
- G. [Commercial Use Authorizations \(U.S. National Park Service\) \(nps.gov\)](#)
- H. [Commercial Services Program \(U.S. National Park Service\) \(nps.gov\)](#)
- I. [Standards and Evaluations - Concessions \(U.S. National Park Service\) \(nps.gov\)](#)
- J. [Commercial Services Guide \(nps.gov\)](#)
- K. General Order 2501 – Vehicle Impounds (6-30-2008)
- L. USPP Form 43-11A – Evidence / Property Control Receipt
- M. USPP Form 43-04 – Vehicle Impound Record
- N. USPP Form 8 – Unattended Vehicle Tag