

**Vehicle Search: A Comparative Research Analysis between the U.S. and Kuwaiti Criminal Procedure Law**

Youssef Haji Al -Mutairi <sup>1</sup>

**Abstract**

This paper discusses the legal framework for search and seizure procedures, focusing on the delicate balance between individual privacy and the state's responsibility to enforce criminal justice. It explores how search and seizure, among the most intrusive actions police can take, are heavily regulated to protect people's fundamental rights, such as the right to privacy, as enshrined in documents like Article (12) of the Universal Declaration of Human Rights along with Kuwait's Constitution and the Fourth Amendment to the U.S. Constitution. The state's need to detect and prosecute crimes must be balanced with individuals' rights, ensuring that searches are conducted under lawful conditions. The paper specifically focuses on vehicle searches, a critical aspect of criminal procedure, analyzing the conditions under which police are permitted to search vehicles. It compares the legal requirements under U.S. law and Kuwaiti law, examining court rulings from each country, particularly the decisions of the U.S. Supreme Court and the Kuwaiti Supreme Court, to draw insightful views about the regulation of vehicle searches.

**Keywords:** Vehicle search, seizure, criminal procedure law, U.S. supreme court, privacy rights, search warrant, U.S. constitution, Kuwaiti constitution, Offences.

**Introduction**

Search and seizure are two of the most important procedures undertaken by policemen and investigators, because they involve contact with individuals' privacy and freedom. For this reason, a number of requirements and controls have been put in place by criminal law to regulate searches of people and their homes and properties (Lawrence, 2015).

The importance of topics such as search and seizure comes from the fact that they directly affect people's freedom and their right to privacy and security in their accommodations and property and their right to lead a private life free from unwarranted interference by state authorities. The individual's right to a private life is one of the basic human rights stipulated by Article (12) of the Universal Declaration of Human Rights. Article (31) of the Constitution of Kuwait provides that individuals may not be searched and Article (38) of the Constitution also endorses individuals' right to lead a private life by stressing the sanctity of accommodations. The Fourth Amendment to the United States Constitution provides that peoples' right to security of themselves, their homes, documents, and belongings may not be unreasonably prejudiced or breached.

---

<sup>1</sup> Dr. Youssef Haji Al -Mutairi, Associate Professor of Criminal Law, Faculty of Business Studies, Public Authority for Applied Education and Training. Email: [fyhbra@yahoo.com](mailto:fyhbra@yahoo.com)

A state's right to apply criminal justice, detect crime, and identify and penalize criminals necessitates that investigatory authorities be given certain powers to carry out necessary procedures that may have direct contact with people's privacy. These procedures include searching for and seizing objects related to crimes (Kurek, 2009).

### **Literature Review**

The Kuwaiti Criminal Procedure Law defines a vehicle more broadly and comprehensively than does the U.S. Criminal Procedure Law. The Kuwaiti Law defines a vehicle, and it categorizes vehicles into types and defines each type separately through Article (2) of Traffic Law, which provides as follows: "A vehicle is any means of transport or traction with wheels or a chain, that runs by an automatic power or physical force whether by man or an animal." It defines the automatic vehicle as "every vehicle running by a motor and including the automatic vehicles allocated for farming, constructions, or levers." (Article (2) of Kuwaiti Traffic Law no. (67) of 1967 Concerning as amended).

U.S. federal law defines a vehicle as "every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo." (18 USC § 31(a)(6)).

Despite the importance of the subject of vehicle search from a procedural criminal perspective, there is a lack of research related to this subject in Kuwaiti jurisprudence. This reflects a major challenge in the Kuwaiti legal system in this regard, as there is an increasing need to develop research and legislation to cover this important aspect. Accordingly, the idea of this study came to benefit from research in the US jurisprudence, as many studies in US jurisprudence have dealt with vehicle search in detail. For example, the study (O'Connor 1999) dealt with the subject of the legal basis for vehicle search, the exceptions included, and the constitutional trend in view of the case of *Carroll v. the United States* and the case of *Wyoming v. Houghton*. The study (Adams, 2004) discussed the application of more restrictive search and seizure requirements under state constitutional law in federal courts using the cases of *Michigan v. Long* and *Erie v. Tompkins*. As for the research (Paul, 1970), it clarified the new rules adopted by the US Supreme Court on the issue of vehicle search when considering the case of *Chambers v. Maroney*.

### **Methodology**

This study relies on a comparative approach. It makes a comparison between the legal systems in the United States and the State of Kuwait regarding the procedures and legal provisions for searches of vehicles. It aims to shed light on the theories of vehicle search stipulated by the U.S. Supreme Court over a century of development, comparing them with the incidents of vehicle search regulated by the Kuwaiti Criminal Procedure Law. The study is divided into three sections. The first section discusses the legal concept of vehicle search, while the second section discusses the incidents of vehicle search in the United States. The third section is

devoted to clarifying cases of vehicle search under the Kuwaiti Criminal Procedure Law.

### **Section One: Legal Concept of Vehicle Search**

The Kuwaiti Criminal Procedure Law agrees with the U.S. Criminal Procedure Law in that a search shall be deemed legally prohibited if such the search leads to the transgression of personal freedom and violation of individuals' right to privacy, security of their homes and property. (Fourth Amendment to the United States Constitution, article (31) of Kuwait Constitution).

Further, under the Kuwaiti Criminal Procedure Law, a vehicle is connected to the driver or the owner thereof personally and derives its inviolability from its connection with its owner or driver. (Article (81) of the Kuwaiti Criminal Procedure Law, Appeal No. (343) of 1999 published in the collection of legal rules decided by the Court of Cassation over 40 years issued by the Ministry of Justice, Technical Office, April 2015 issue, p. 151, *Carroll v. United States*, 267 U.S. 132, (1925) .

In contrast, the U.S. Criminal Procedure Law, at both the state and federal levels, set rules and provisions specifically for vehicle searches different from those regulating searches of persons and homes. In this regard, we will discuss the concept of vehicles under the Kuwaiti and the US Criminal Procedure Law as follows:

#### **I. What a Vehicle Search Means**

The U.S. Criminal Procedure Law agrees with the Kuwaiti Criminal Procedure Law in that the vehicle search will generally involve searching the vehicle, the drawers, the pockets of drawers, the seats, and the trunk to find any evidence that would be useful in detection of the truth in a certain crime for which the driver or the suspect is arrested. However, the U.S. Criminal Procedure Law adds the search of visible places inside the vehicle and the side pockets of seats and doors and under the seats to find any weapons or hazardous tools that may pose a threat or danger to the policeman when stopping the suspect's vehicle for any of the reasons stipulated by the law. (*Michigan v. Long*, 1983), (Aleifan, 2017).

#### **II. Search of Personal Baggage and Closed Boxes inside a Vehicle**

Unlike the U.S. Criminal Procedure Law, the matter of searching personal baggage and closed boxes inside a vehicle does not raise any legal debate in the Kuwaiti Criminal Procedure Law. Issuance of a vehicle search warrant under Kuwaiti Criminal Procedure Law includes all baggage and closed boxes inside the vehicle.

In the U.S. Criminal Procedure Law, much legal debate has arisen regarding extending the exception granted to vehicles from requiring the issuance of a search warrant (*Carroll Principle*), which entitles a policeman to search the vehicle without a warrant, if probable cause exists to include baggage and closed boxes inside them. (O'Connor, 1999).

### **Section Two: Incidents of Vehicle Searches in the U.S. Criminal Procedure Law**

Over a century, U.S. law developed four theories for vehicle searches. In this regard, we will sufficiently explain and discuss the theories and the justifications leading to them as follows:

### **I. Probable Cause (*Carroll* Theory)**

The U.S. Supreme Court applied this theory in the early 20<sup>th</sup> Century in the case of (*Carroll v. United States*, 1925). After extensive legal debate, the U.S. Supreme Court delivered one of its most famous decisions in criminal procedural matters related to searches that a vehicle is different from a home, because the former is movable. Therefore, the vehicle is excepted from the guarantees of the Fourth Amendment, which revolve around the necessity of a search warrant. (The Fourth Amendment to the US Constitution).

Probable legal cause under the U.S. Criminal Procedure Law is similar to the state of doubt and suspicion under the Kuwaiti Criminal Procedure Law, which gives a policeman the right to stop a vehicle driver. Nevertheless, the difference consists in the probable cause under the U.S. Criminal Procedure Law, which grants a policeman the right to search the vehicle while in the state of doubt and suspicion. To the contrary, the Kuwaiti Criminal Procedure Law does not grant a policeman the right to search a vehicle.

In 1970, the U.S. Supreme Court held in (*Chambers v. Maroney*) that the investigators' search of the vehicle at the police department, which was performed without a warrant, was legal because of the similarity between the perpetrators of the crime and the suspects, which was deemed to constitute probable cause for the investigators to search the vehicle without a warrant. (Paul, 1970).

### **II. Search of a Stopped Vehicle – Theory of Search through Outer Touching**

Unlike Kuwaiti Criminal Procedure Law, a policeman under the U.S. Criminal Procedure Law may search a vehicle that he stops to make sure that it contains no weapons or hazardous tools that the driver might use to harm the policeman.

The U.S. Criminal Procedure Law makes it a condition for the application of this theory that the stoppage be legal and procedurally valid, i.e. the vehicle's driver has behaved in a way that has evoked doubt and suspicion in the policeman or violated any of the traffic regulations or rules. This will entitle the policeman to stop the vehicle to inquire about the identity of the driver or the details related to the vehicle he is driving to verify that he has not committed any crime or violated traffic laws. (Dee, 1972).

This theory was applied for the first time in the case of (*Terry v. Ohio* 1968), in which the U.S. Supreme Court ruled that the police investigator did not violate the Fourth Amendment of the U.S. Constitution when he searched the suspect, since the policeman may search whomever he stops by the outer touching of his clothes, if the policeman believes that a crime may have been committed or is about to be committed, and the person he has stopped may be carrying weapons or hazardous tools that pose a threat to the officer's life (Stoughton, 2017).

On the other hand, the U.S. Supreme Court makes it a condition for a valid search that the search be generally performed by looking through the windows of the vehicle and through the openings of the doors of the vehicle and under the seats, and also by the outer touching of clothes to make sure that the driver and the passengers do not have any weapons or tools that they may access quickly before the policeman notices. Here, the search does not include drawers away from the driver's seat, closed boxes, or the vehicle's rear trunk, because this type of search is aimed at securing the policeman during the stoppage process and making sure that no stopped person may access such weapons and tools and hence prevent any harm to the policeman (Adams, 2004).

### **III. Search of the Vehicle Following the Arrest of the Driver**

The search of a vehicle in the event of arresting its driver is one of the incidents of vehicle search regulated by the U.S. Criminal Procedure Law. Such a search is conducted by the policeman after arresting the vehicle's driver and without requiring probable cause that the vehicle may contain evidence of a certain crime. Once the policeman has a justification for arresting the vehicle's driver, he shall have the right to search the vehicle without a warrant (Moskovitz, 2009).

Two causes justify such arrest incidents. The first is the possibility of the presence of evidence in the vehicle that has something to do with the arrest. The second is the requirement for the policeman's safety necessitating disarming the driver he arrests from any hazardous weapons that may be hidden in the vehicle and that the driver may use to cause harm to the policeman. Therefore, this search is characterized under the U.S Criminal Procedure Law as having two justifications. The first is the requirement for the safety and security of the policeman, as is the case in the *Terry* theory, and the second is the presence of evidence connected with the arrest event (Gailey, 2015).

The U.S. Supreme Court demonstrated that the policeman shall have the right to search a vehicle without a warrant in the event the driver of the vehicle is arrested. The U.S. Supreme Court also held that the policeman may search the person or his vehicle without a warrant as long as the person is detained pending further proceedings (Thames, 1974).

However, in this judgment, the U.S. Supreme Court greatly expanded the concept of vehicle search and went beyond the main causes of permissibility of a vehicle search without a warrant as stated in the *Carroll* and *Long* cases, i.e. the presence of probable cause of the existence of evidence to a crime inside the vehicle or for the protection of the policeman (Hoffman, 2009).

### **IV. Search Required for Listing the Contents of the Vehicle Seized or the Driver of which Is Detained**

The incident of a search is unique in the U.S. Criminal Procedure Law. Here, the policeman searches the vehicle for which a seizure warrant has been issued or the vehicle whose driver has been arrested in order to list the movables contained

in the vehicle. After the search, its driver is handed a list of the movables to receive them later (Sutherland, 1974).

This type of vehicle search is aimed at identifying the contents of the vehicle for which a seizure warrant has been issued or whose driver has been arrested.

The U.S. Supreme Court twice affirmed the constitutionality of this type of search without a warrant. The first incident was when, in *South Dakota v. Opperman* 1976, the U.S. Supreme Court permitted a search to list the contents of the vehicle generally without searching the baggage or the boxes inside them before the seizure of the vehicle. The Court held that police can inventory a vehicle that has been lawfully impounded even without a warrant. Inventory procedures for impounded vehicles are conducted to protect the owner's property and to protect police from claims of stolen items as well as potential danger. Therefore, the search of an impounded vehicle is considered reasonable under the Fourth Amendment. However, the Court did not determine whether its judgment includes opening closed boxes and baggage or is restricted to the visible areas of the vehicle.

The U.S. Supreme Court did not answer that question until fourteen years later, (*Colorado v. Bertine*, 1987), Section 7-7-2(a)(4) of the Boulder Revised Code, section 7-7-2(a)(4), Boulder Rev. Code 7-7-2(a)(4)(1981)), when it permitted the search of a vehicle to list the contents and the baggage thereof before seizing it (Reamey, 1987).

After the U.S. Supreme Court's decision in *Bertine*, a policeman has the right, once there are reasons for the seizure of a vehicle, to search the vehicle and all the baggage therein. He also has the right to open drawers and the trunk of the vehicle without needing to first obtain a warrant for the vehicle search. Any evidence of the occurrence of a crime obtained or detected during the search may be submitted by the investigatory authorities as evidence substantiating that the vehicle driver has committed a crime (Morrison, 1987).

Such a search does not require probable cause that the vehicle driver committed a certain crime or the possibility of the policeman being subject to a certain threat by the driver while the latter is detained, as is the case in the former searches. Rather, one of the reasons for seizing the vehicle, such as the driver's possessing a driver's license, the vehicle lacking requirements of durability necessary to drive on roads, or the issuance of a judgment seizing the vehicle for the driver's failure to pay the balance value amount thereof, shall be enough for the policeman to search the vehicle and list the contents thereof. (Bumgardner 1965).

The Kuwaiti Criminal Procedure Law does not provide for this type of vehicle search. In Kuwait, a policeman may request the driver of the vehicle to be seized to show the contents of the vehicle himself. This approach is criticized, because Kuwaiti Criminal Procedure Law ought to have followed the example of the U.S. Criminal Procedure Law in this regard (Article (91) of the Kuwaiti Criminal Procedure).

### **Section Three: Incidents of Vehicle Searches in the Kuwaiti Criminal Procedure Law**

The reasons for a vehicle search under Kuwaiti Criminal Procedure Law differ from those stipulated by the U.S. Criminal Procedure Law. Under the Kuwait Law of Procedures and Criminal Trials, a warrant issued to permit the search of a certain person extends to include his vehicle. This is unlike U.S. Criminal Procedure Law, which connects the search of a person to the search his vehicle and does not make it a condition that a vehicle search warrant be issued. (Article (81) of the Kuwaiti Criminal Procedure Law, Appeal No. (343) of 1999 published in the collection of legal rules decided by the Court of Cassation over 40 years issued by the Ministry of Justice, Technical Office, April 2015 issue, p. 151)

On the other hand, Kuwaiti Criminal Procedure Law is similar to the U.S. Criminal Procedure Law in that the vehicle may be searched without needing a vehicle warrant in the event of an established crime. Kuwaiti Criminal Procedure Law permits a policeman to search a vehicle if the vehicle is connected with a certain crime.

Therefore, the incidents of vehicle search under the Kuwaiti Law include:

#### **I. Vehicle Search Pursuant to Issuance of a Warrant**

Article (80) of Kuwaiti Criminal Procedure Law provides as follows: "A person, his home or his messages may be searched with the investigator's knowledge, consent or order for seizing the objects used in the crime, arising from it or has connection therewith, whenever investigations require so and there is no other means to obtain them."

Further, the Kuwaiti Supreme Court held that, "in the event a warrant for searching a certain person is issued, this entails that the judicial officer has been informed through his investigations that a certain crime has been committed by the person to be searched and that the signs are sufficient against such person to the extent that justifies the investigation authority's infringement of such person's freedom, inviolability or right to privacy in order to detect the evidence related with such crime." (Court of Cassation Judgment No. 2003/578, A set of legal rules decided by the Court of Cassation during the period from 1/1/2002 to 12/31/2006 in criminal matters, Section Five, Volume Fourteen, January 2021, P. 238).

From the above, it becomes evident that Kuwaiti Criminal Procedure Law necessitates fulfillment of a certain requirement for the issuance of a warrant to search a certain person along with his vehicle and baggage. These requirements can be summarized as follows:

#### **First Requirement: Actual Occurrence of a Crime**

Article (80.2) of the Kuwaiti Procedure Law provides for this requirement, as it states: "... for seizing the objects used in the crime, arising from it or has connection therewith ...", this means that the crime that is connected to the need for the search warrant must have actually been committed.

Therefore, the validity of the issuance of a vehicle search warrant requires that the crime have been committed and the elements of which exist. This requirement is a natural consequence, because a search is an investigatory act and, hence, cannot

be performed until the crime has actually occurred. (Appeal dated 02/01/1952, Volume 13, no. 5, P. 20, Appeal dated 17/03/1974, Volume 25, no. 64, P. 292. 17/10/1976, Volume 27, no. 173, P. 763).

**Second Requirement: An accusation against the person to be searched shall exist.**

For the issuance of a warrant to search a person, in addition to the actual occurrence of a crime, an accusation shall have to be made against such person of having committed that crime. Once an accusation is made against a certain person of committing the crime, a search warrant against him may be issued. It does not matter whether the person to be searched or whose vehicle is to be searched is accused as the original criminal or an accomplice in a felony or misdemeanor. (Appeal no. (390) of 2004 Criminal, Court Hearing dated 29/03/2005. Also, the Supreme Court held in this sense in Appeal dated 17/01/1966, Set of Appeal Judgments, Volume 17, no. 9, P. 50, Appeal dated 27/12/1937, Set of rules Volume 1, No. 43, P. 397).

If this requirement is met, the accused, along with his vehicle, shall be searched. It does not matter whether the vehicle he is driving is registered in his name or another person's name, as long as there is evidence that he is driving it and as long as the warrant contains the information about the person to be searched. The warrant to search the person shall extend to the vehicle he usually drives even if he is not the owner thereof (Mustafa, 1988).

**Third Requirement: Search of the Person Has to Be Aimed to Detect Evidence of the Crime**

Article (80) of Kuwaiti Criminal Procedure Law states that a search must be aimed to detect or seize objects used in committing a crime, arising from it, or connected therewith. Further, Article (81) provides as follows: "Search of a person takes place by searching their body, clothes, or baggage for the purpose of finding objects or traces of the crime or necessary evidence for investigation in such crime. Searching a person may require arrest of such person and detaining of him for the period necessary for making the search entailing use of force as regulated by and within the limitations described in Article (49)." Article (89) provides as follows: "The person assuming the search shall look only for the objects or the traces in connection with which the search warrant that has been issued. However, if he accidentally finds objects, the possession of which is deemed a crime or finds objects connected with another crime, he shall have to seize and record them in his report. The report and the seized objects shall be presented to the investigator."

The aforementioned legal provisions make it clear that the Kuwaiti Law of Procedure and Criminal Trials divides the evidence that can be produced by a search into three categories: evidence used in committing the crime, evidence arising from the committed crime, and evidence connected with committing the crime (Almutairi, 2023).

**II. Vehicle Search in the Event of Offences *in Flagrante***



Article (43) of Kuwaiti Criminal Procedure Law provides as follows: "When a policeman witnesses committing of a felony or a misdemeanor, or comes to the scene while the crime is still *in flagrante*, he may search the defendant or his place of residence." Article (56) of Kuwaiti Criminal Procedure Law demonstrates that, in the event the crime is an offence *in flagrante*, "the policeman may, without a warrant, arrest the defendants in the misdemeanors *in flagrante*. The crime shall be deemed *in flagrante* if it is committed in the policeman's presence or if he comes to the scene of the crime a little after it has been committed, and the traces thereof are still indicative of its immediate occurrence." The Legislature used the term, *an offence in flagrante*, and did not use the term *delit flagrant* as used in the Egyptian Law, because the term, *an offense in flagrante* suggests time convergence between the moment at which the crime occurs and the moment of detecting it.

### **Conclusion**

This study focuses on vehicle searches in criminal procedure, emphasizing the potential for violations of personal freedom and privacy. The study's key findings are as follows:

- Both Kuwaiti and U.S. criminal procedure laws agree that unlawful searches violate personal freedom, privacy, and security in homes and property. The U.S. Supreme Court, since 1978, has shifted from protecting property rights to emphasizing privacy rights under the Fourth Amendment. Similarly, Kuwaiti law considers searches unlawful if they infringe on privacy.
- Unlike U.S. law, which separates vehicle searches from searches of drivers, Kuwaiti law ties a vehicle search to the search of its driver or owner. However, if the vehicle is parked at the driver's home, a home search warrant is required.
- U.S. law mandates that search warrants be issued by a neutral judge, while Kuwaiti law does not emphasize this requirement as strictly.
- In Kuwait, a vehicle search extends to personal baggage, while U.S. law allows police to search a stopped vehicle for weapons.
- U.S. law also permits a vehicle search to inventory its contents, ensuring the driver receives a list of these items.

### **Recommendations**

In light of the analysis and comparison conducted by the study, the Kuwaiti legislature should benefit from the experience of the American legislature in the subject of the study through the following:

- 1- The Kuwaiti legislature should create legal provisions to regulate the procedures and cases of vehicle searches as applicable in the United States.
- 2- The permit to search the vehicle should be issued by a neutral judge and not by the public prosecutor, who is a member of the investigation authority.
- 3- The Kuwaiti legislature should create a legal provision that allows the police officer to search the vehicle in the event of stopping it to ensure that there are no weapons or sharp tools for the sake of his safety as applicable in the United States.

- 4- The Kuwaiti legislature should create a legal provision that allows the police officer to search the vehicle in the event of its confiscation for any reason to ensure that there are no dangerous tools or materials that could affect the safety of the place where the vehicles are impounded.
- 5- The Kuwaiti legislature should create a legal provision that allows the police officer to search the vehicle in the event that its driver is arrested for any reason in order to examine and search the contents of the vehicle.

## References

- Adams, J. (2004). Applying More Restrictive Search and Seizure Requirements Under State Constitutional Law in Federal Courts Using Michigan v. Long and Erie v. Tompkins. *Temp. Pol. & Civ. Rts. L. Rev.*, 14, 201.
- Alahmad, A. K. . (2024). Criminal Liability for Cyberbullying in Jordanian Legislation. *Review of Law and Social Sciences*, 3(1), 99-111.
- Aleifan, M. & Buoroki, H. (2017), *The Mediator in the Kuwaiti Criminal Procedures and Trials Law*, State of Kuwait – Part One (2<sup>nd</sup> Edition), Kuwait University Publication.
- Almutairi, Y. (2023). The rule of excluding evidence obtained from an invalid procedure: A comparative study between the Kuwaiti and American criminal procedure law, *Kuwait International Law School Journal*, 10(3), 22-76.
- Bumgardner III, R. (1965). Search of Automobile after Arrest for a Traffic Violation. *Wash. & Lee L. Rev.*, 22, 221.
- Carroll v. United States*, 267 U.S. 132 (1925).
- Colorado v. Bertine*, 479 U.S. 367 (1987).
- Chambers v. Maroney*, 399 U.S. 42 (1970).
- Gailey, L. (2015). Thirty Years Too Long Why the Michigan v. Long Presumption Should Be Rejected, and What Can Be Done to Replace It. *Duq. L. Rev.*, 53, 483.
- Hoffman, M. B. (2009). The Court Says No To Incorporation Rebound: Virginia v. Moore. *Baylor L. Rev.*, 61, 818.
- Kurek, J. (2009). How to Achieve a Balance Between Effective Preventing Crime and Protecting Privacy of Citizens; Online Search—as a New Challenge for eJustice. *Masaryk University Journal of Law and Technology*, 3(3), 377-386.
- Lawrence, M. (2015). Criminal Law-Search and Seizures: Determining When an Individual May Have a Reasonable Expectation of Privacy in a Shared Residence. *NDL Rev.*, 91, 411.
- Michigan v. Long*, 463 U.S. 1032 (1983).
- Morrison, W. J. (1987). Recent Developments: Colorado v. Bertine: Automobile Inventory Exception to the Fourth Amendment Warrant Rule. In *University of Baltimore Law Forum* (Vol. 17, No. 3, p. 9).
- Moskovitz, M. (2009). The Road to Reason: Arizona v. Gant and the Search Incident to Arrest Doctrine. *Miss. LJ*, 79, 181.
- Mustafa, M. (1988). *Explanation of the Criminal Procedure Code*, Cairo: Dar Al Nahda Al Arabiya, (2<sup>nd</sup> Edition), Egypt.
- Nasrallah, F. (2007). *Explanation of the Kuwaiti Criminal Procedures and Trials Law*, (First Edition), Kuwait.
- O'Connor, M. L. (1999). Vehicle Searches--The Automobile Exception: The Constitutional Ride from Carroll v. United States to Wyoming v. Houghton. *Touro L. Rev.*, 16, 393.

- Paul, S. H. (1970). *Chambers v. Maroney*: New Dimensions in the Law of Search and Seizure. *Ind. LJ*, 46, 257.
- Reamey, G. S., Bassett, M. H., & Molchan, J. A. (1987). Permissible Scope of Texas Automobile Inventory Searches in the Aftermath of *Colorado v. Bertine*: A Talisman Is Created. *Tex. Tech L. Rev.*, 18, 1165.
- South Dakota v. Opperman*, 428 U.S. 364 (1976).
- Stoughton, S. W. (2017). *Terry v. Ohio* and the (un) forgettable frisk. *Ohio St. J. Crim. L.*, 15, 19.
- Sutherland, J. K. (1974). Searches of the Person Incident to Traffic Arrests: The State and Federal Approaches. *Hastings LJ*, 26, 536.
- Terry v. Ohio*, 392 U.S. 1 (1968).
- Thames, J., & Johnson, T. (1974). Search and Seizure of Automobiles with Consideration of the Impact of *United States v. Robinson*. *Crim. Just. Sys. Rev.*, 2, 623.
- United States v. Chadwick*, 433 U.S. 1 (1977).
- United States v. Robinson*, 414 U.S. 218 (1973).
- Virginia v. Moore*, 553 U.S. 164 (2008).
- Wampler, D. (1972), Stop and Frisk of Motor Vehicles: *Terry v. Ohio* Expanded, *The Journal of the Missouri Bar*, 28(11), 533-534.