

New York Parking Ticket LLC

# NY Code: Towing

Don't be a victim of predatory  
towing. Learn the rules and save  
your money

made with  
*Beacon*

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Check out the 10 tips, read the call, and contact me if you need help fighting an unjust parking ticket and tow.

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# Have you been Victimized by a Predatory Tow in NYC? Read This



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The NYC Department of Consumer Affairs (DCA) licenses private companies that tow cars that block private driveways, are parked on private property, are immobilized after an accident, have been stolen or appear to be abandoned or have broken down.

The New York Police Department tows vehicles that are in violation of NYC parking, standing, and stopping laws and restrains vehicles with outstanding parking and camera violation judgments. The NYC Sheriff's Office and NYC Marshals employed by the City of New York tow vehicles whose owners have outstanding parking and red light camera judgments totaling more than \$350.

DCA also licenses private companies that boot cars parked in private lots or on private streets when the cars violate posted parking rules.

## 10 tow tips that will save you money

1. The tow operator must be licensed by the DCA
2. There must be a written contract between the owner of the private property and the tow operator
3. There must be posted warnings about what makes up unauthorized parking
4. The tow operator cannot charge more than \$125 for the tow and three days of storage
5. The owner of private property must conspicuously post detailed information about the tow operator
6. The owner must give express written authorization to tow a vehicle
7. A vehicle may not be removed if occupied
8. The towed vehicle must be taken to a storage facility maintained by the tow operator
9. The tow operator must let the police precinct know within 30 minutes of the vehicle's arrival
10. If the owner or person in control of the vehicle arrives before the removal of the vehicle, she can ask that the vehicle be released subject to payment of a fee of not more than one-half the fee for removal

## The NY Code for removal of vehicles on private property

### **§ 19-169.1 Removal of vehicles improperly parked on private property.**

a. Notwithstanding any other provision of law, where a licensed tow operator removes a vehicle because it is parked on private property in a way inconsistent with posted instructions, and such removal is pursuant to a contract between the owner of the private property and the licensed tow operator for the removal of any such improperly parked vehicles, such tow operator may collect the following charges from the vehicle owner or other person in control of such vehicle, payable before the vehicle is released: up to but not more than one hundred dollars for removal and the first three days of storage; up to but not more than ten dollars per day for storage thereafter; except that no charge may be collected for removal or storage of a vehicle pursuant to this section by a person who is not licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty of this code.

b. No owner or operator of parking facilities on private property shall tow or cause to be towed from such private property any motor vehicle unless such owner or operator shall conspicuously post and maintain upon such private property a sign stating the name, address and telephone number of the tow operator, the hours of operation for vehicle redemption, towing and storage fees of the tow operator and the hours vehicles are prohibited from parking and subject to tow.

c. No vehicle shall be removed by a tow operator from private property without express written authorization by the owner of the private property or his or her agent as designated in the contract between the owner of the private property and the tow operator. Such authorization shall be required for each vehicle removed, and shall include the location, make, model, color and license plate number of the vehicle to be removed.

d. A vehicle may not be removed if it is occupied by any person.

e. Notwithstanding any other provision of law, a vehicle which is removed shall be taken directly to a facility for storage maintained by the person licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty of the code who has removed such vehicle and which is within city limits and no more than ten miles from the point of removal. If no such facility is available, the closest available facility for storage within New York city maintained by a person so licensed shall be utilized. Such facility for storage must be a secure place for safekeeping vehicles.

f. Any person who removes a vehicle pursuant to this section shall, within thirty minutes of the vehicle's arrival at a facility for storage, notify the local police precinct having jurisdiction over the area from which the vehicle was removed, as to the storage site, the time the vehicle was removed, the location from which the vehicle was removed, the name of the person who authorized the removal, and the fact that the removal was pursuant to a contract with the owner of the private property, and shall obtain the name of the person at such police precinct to whom such information was reported and note such name on a trip record together with the time and date that the vehicle was removed.

g. If the registered owner or other person in control of a vehicle arrives at the scene prior to the removal of the vehicle, and such vehicle is connected to any apparatus for removal, the vehicle shall be disconnected from such apparatus and such registered owner or other person in control of such

vehicle shall be allowed to remove the vehicle from the premises without interference upon payment of a reasonable service fee of not more than one-half of the charge allowed for removal as provided in subdivision a of this section, for which a receipt shall be given. Each tow operator shall carry a legible copy of this section with this paragraph highlighted, and shall show it to a vehicle owner, or other person in control of the vehicle, who arrives at the scene prior to the removal of a vehicle.

h. The registered owner or other person in control of a vehicle which has been removed pursuant to this section shall have the right to inspect the vehicle before accepting its return. No release or waiver of any kind which would release the person or company removing the vehicle from liability for damages may be required from any such owner or other person as a condition of release of the vehicle to such person. A detailed, signed receipt showing the legal name of the person or company removing the vehicle must be given to the person paying the removal and storage charges at the time of payment.

i. When an owner of private property, his or her agent as designated in the contract with the tow operator, or a tow operator contracting with such owner causes a vehicle to be removed in violation of this section, there shall be no charge to the owner or other person in charge of the vehicle for the cost of removal and storage. Such person who has violated this section shall be liable to the owner or other person in control of the vehicle for any amounts actually paid for removal, transportation and storage of the vehicle, as well as for any damage resulting from the removal, transportation and storage of the vehicle.

j. Any person who violates this section shall be punished as follows: for the first violation, a fine of two hundred and fifty dollars; for the second violation within a period of twelve months of the date of the first violation, a fine of five hundred dollars; and for any additional violations within a period of twenty-four months of the date of a first violation, a fine of one thousand dollars.

k. No person may, under authority of this section, cause the removal of any ambulance, police vehicle, fire vehicle, civil defense emergency vehicle, emergency ambulance service vehicle, environmental emergency response vehicle, sanitation patrol vehicle, hazardous materials emergency vehicle or ordnance disposal vehicle of the armed forces of the United States.

l. Authorized officers and employees of the department and the department of consumer affairs and members of the police department shall have the power to enforce the provisions of this section and any rules promulgated hereunder.

m. The commissioner of consumer affairs is authorized to promulgate such rules as the commissioner deems necessary to effectuate the provisions of this section.

## Other Tow Resources

-[NYC Department of Consumer Affairs tow services guide](#)

-[NYC Department of Consumer Affairs licensed tow operator search tool](#)

-[File Complaint](#) with the Department of Consumers Affairs

## Commentary

Learn the rules of engagement to protect yourself against unjust tow practices. If you were treated unjustly, file a complaint with the DCA.

Park safely.

# Need a wingman?

If you were the victim of an unjust  
parking ticket and tow, and need  
help fighting these evil things,  
click on the button below (gently)

[CLICK HERE GENTLY](#)

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