What Every Pick Up Truck Owner Ought to Know About

Beating a New York City Parking Ticket
Introduction

Joe’s pick up truck story...
Joe was excited about his recent purchase of a big, red, pick up truck. Joe planned to register his 6000 pound beauty as a passenger vehicle because he was going to use it exclusively for his personal driving pleasure.

Joe headed down to the NY DMV to register his pick up truck, and thought to himself, “life was good…” Or was it?

Joe was in for a rude awakening:
• Can Joe register a pick up truck as a passenger vehicle with an unladen weight of 6000 pounds?
• Does Joe have to cap the bed of his pick up truck to park legally in NYC?
• Can Joe park his pick up truck overnight in a residential neighborhood?
• Can Joe win a NYC parking ticket for improper registration?

Let’s examine each of these questions, one at a time.
Can Joe register his pick up truck as a passenger vehicle?

- Since Joe’s pick-up truck weighs more than 5000 pounds and has not been modified, it must be registered in the commercial class.
- However, if Joe is willing to modify his 6000 pound pick-up truck, he can register it in the passenger class.
A pick up truck, which is used exclusively for non-commercial purposes, with an unladen weight over five thousand pounds, must:

- Not have any business advertising
- Completely enclose the bed of the truck by a camper top
- Have at least one side window in the camper top
- Have seats, seat fittings or camping equipment mounted in the bed

In order to register it in the passenger class, these modifications must be permanent. Camping equipment means that a bed, stove or refrigerator must always be in the vehicle. Any use of the truck without these modifications requires the vehicle to be registered as a commercial vehicle.

[Source: NY DMV Part 106.6]
Stopping, Standing, and Parking in NYC

Does Joe risk getting NYC parking tickets?
Joe may be issued parking tickets for:

- Improper registration
- Unaltered commercial vehicle
- Parking a commercial vehicle overnight in a residential neighborhood
Improper Registration

NY DMV Part 106.6
Analysis

• Joe’s pick up truck is registered properly, if Joe complied with NY DMV Part 106.6 when registering his vehicle in the passenger class

• Link

Is my pick up truck properly registered as a passenger vehicle?

Section 106

106.1 Introduction
106.2 Commercial registration
106.3 Passenger registration
106.4 Registration amendments
106.5 Other categories
106.6 Pickup truck (Added 3/15/00)

“A pickup truck, which is used exclusively for non-commercial purposes with an unladen weight over five thousand pounds, with no business advertising, with the bed completely enclosed by a camper top, with at least one side window in the camper top, and with seats, seat fittings or camping equipment mounted in the bed, may receive a passenger registration, at the registrant's option.

These modifications must be permanent. Camping equipment means that a bed, stove or refrigerator must always be in the vehicle. Any use of the truck without these modifications requires the vehicle to be registered as a commercial vehicle.”
Unaltered Commercial Vehicle
RCNY 4-01 Definition of Commercial Vehicle

(i) For purposes of parking, standing and stopping rules, a vehicle shall not be deemed a commercial vehicle or a truck unless:

(A) it bears commercial plates; and

(B) it is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab shall not be considered in determining whether the vehicle is properly altered; and

(C) it displays the registrant’s name and address permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed approximately midway vertically on doors or side panels.

RCNY 4-08 (k)(1)

(k) Special rules for commercial vehicles.

(1) Parking of unaltered commercial vehicles prohibited. No person shall stand or park a vehicle with commercial plates in any location unless it has been permanently altered with all seats and rear seat fittings, except the front seats, removed, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab shall not be considered in determining whether the vehicle is properly altered, and has the name and address of the owner as shown on the registration certificate plainly marked on both sides of the vehicle in letters and numerals not less than three inches in height, in compliance with §10-127 of the Administrative Code and is also in compliance with paragraph (i) of the definition of commercial vehicle as set forth in §4-01 of these rules.
Analysis

- It is highly unlikely that Joe’s modified pick up truck bearing passenger plates will win a NYC parking ticket. It’s registered properly, bears passenger plates, and its bed is capped.

Do I have to "cap" my pick up truck to avoid a NYC parking ticket?

Read more
Parking a Commercial Vehicle Overnight in a Residential Neighborhood

What a nightmare!
The Rule

RCNY 4-08 (k)

"(6) Nighttime parking of commercial vehicles prohibited. No person shall park a commercial vehicle on a residential street, between the hours of 9 p.m. and 5 a.m. Where a commercial vehicle is parked in violation of this paragraph, it shall be an affirmative defense to said violation, with the burden of proof on the person who received the summons, that he or she was actively engaged in business at the time the summons was issued at a premises located within three city blocks of where the summons was issued. This paragraph shall not apply to vehicles owned or operated by gas or oil heat suppliers or gas or oil heat systems maintenance companies, the agents or employees thereof, or any public utility. “
A parking ticket warrior with integrity will not issue a parking ticket to Joe for overnight parking because his vehicle is clearly registered properly, modified correctly, and bears passenger plates...But, you still may wish to check out this blog post.
**What is the definition of a truck?**
Pursuant to 34 RCNY 4-13(a)(1), a truck is "any vehicle designated for the transportation of property which has either or the following characteristics: Two axles & six tires, or; Three or more axles”

**For the purposes of NYC parking, standing and stopping rules, what constitutes a commercial vehicle or truck?**
A vehicle or truck must comply with 34 RCNY 4-08(k)(1) to be deemed a commercial vehicle, and permitted to park in commercial vehicle only parking zones. (See, footnote at the bottom of the page)

**Is there a difference between a truck and other commercial vehicles for purposes of Violation Code 16: Truck loading/unloading?**
No. A truck or a commercial vehicle can park in a "truck" loading/unloading zone [4-08(k)(2)]

**What are the pros and cons in having commercial plates on a vehicle?**
A commercial vehicle has more flexibility parking on the mean streets of NYC; but, cannot travel freely about the City because of prohibitions against commercial vehicles on "passenger only" roadways

**What are some examples of commercial vehicles that are not trucks?**
passenger vehicles, vans and/or station wagons bearing commercial plates

Read more [frequently asked questions](#)
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