

**Testimony of Amit Bagga
New York City Department of Consumer Affairs**

**Before the
New York City Council Committee on Consumer Affairs**

**Hearing on
Oversight of regulation of the towing industry, and
Introduction 1173, in relation to increasing maximum towing fees**

February 14, 2017

Good morning, Chairman Espinal and members of the committee, my name is Amit Bagga and I am the Deputy Commissioner of External Affairs for the New York City Department of Consumer Affairs (“DCA”). I am joined today by my colleague, Associate General Counsel Jordan Cohen, as well as other members of the DCA team, on behalf of Commissioner Lorelei Salas. I would like to thank the committee for the opportunity to offer testimony about City regulation of the towing industry as well as Introduction 1173 (“Intro. 1173”), which would increase the maximum fees that towing companies may charge consumers. The regulatory structure crafted by the Council over the past three decades shows a clear recognition on the part of legislators that this industry merits special attention from regulators and strong safeguards for consumers. I will begin my testimony this morning by offering the committee a brief history and overview of regulation in this industry before turning to Intro. 1173, about which DCA will offer feedback, questions, and concerns. I will also offer the committee some ideas for your consideration that DCA believes could improve and streamline the tow truck regulatory structure while better serving consumers.

Background and Overview

DCA regulation of the towing industry began in 1987, with the passage of Local Law 28 (“LL 28”). With that law, the Council sought to set up a comprehensive regulatory scheme by combining a licensing requirement with surety bonding, liability insurance requirements, and robust powers for the commissioner of Consumer Affairs to revoke, suspend, or refuse to renew the license of businesses who violated the law. In addition, the law created two programs that continue to be major components of towing regulation today: the Directed Accident Response Program (“DARP”) and the Rotation Tow program (“ROTOW”). While the Council has revisited towing regulations since, most notably in 2001, 2004, and 2011, LL 28 continues to serve as the foundation for today’s structure.

DCA’s regulatory efforts are directed primarily to non-consensual towing. Non-consensual towing can be broken down into four categories: DARP, ROTOW, private lot tows, and arterial tows. I will now give a brief description of each of these categories. All companies conducting these types of tows must be licensed by DCA.

The Directed Accident Response Program (DARP)

The Directed Accident Response Program is a partnership between DCA and the NYPD that provides for the safe and orderly removal of disabled vehicles involved in traffic accidents on city streets. This program does not cover vehicles disabled on highways, which come under the arterial towing program. The Council created DARP to address traffic and safety concerns caused by a practice known as “chasing.” Towing companies would often “chase” potential tows by instructing their drivers to monitor police frequencies and beat competitors to the scene of any reported accident. Predictably, this competition resulted in unsafe and sometimes reckless driving by tow truck operators. In addition, monitoring police frequencies allowed drivers to compete for only the most lucrative potential tows - e.g., where a radio request indicated a disabled luxury vehicle - and ignore others, making it harder for the NYPD to remove older or less valuable disabled vehicles quickly and safely.

Under DARP, the city is divided into zones for disabled vehicle removal, each of which has its own list of DARP participants. Police officers responding to an accident call companies participating in DARP for the zone in which the vehicle is located on a rotational basis. Only the company that is summoned by the NYPD from the DARP list for the zone in which the vehicle is disabled may tow the vehicle. By participating in DARP, companies agree to respond to these calls immediately and can face penalties for failure to do so.

In order to participate in DARP, a tow company must apply to DCA to be placed on the list. Companies must meet certain requirements to be eligible to be placed on the DARP list, including: licensure by DCA for at least one year before application; possession of at least two tow trucks and sufficient towing equipment per zone in which the company seeks to participate; and possession of adequate storage facilities. Companies may only apply to participate in DARP for the zone in which their business premises are located. If an applicant meets all requirements and passes a qualifying inspection, they are placed at the bottom of the rotational list for the zone in which they are located.

Rotation Tow Program (ROTOW)

The Rotation Tow Program is similar to DARP and provides for the removal of stolen and abandoned vehicles. Like DARP, ROTOW requires DCA and NYPD to divide the city into zones and maintain a list of participating companies that can be called by the NYPD to remove vehicles in each zone on a rotational basis. The requirements that a company must meet to participate are similar, though not entirely the same, as those required to participate in DARP. ROTOW participants must maintain larger storage facilities than DARP participants and can apply to participate in both a primary zone where their business premises are located as well as a qualifying adjacent zone. DCA understands that ROTOW is seen as a less lucrative program than DARP because abandoned vehicles are less likely to be reclaimed and fewer companies apply to participate.

Private lot towing

Private lot tows occur when a tow company, pursuant to a pre-executed contract, is called by a private lot owner to remove a vehicle that is parked inconsistently with posted notices. Like in DARP and ROTOW, the rates a company may charge for private lot tows are capped by law. The rate for private lot tows is reduced by half if the driver of a vehicle returns before the tow truck has removed it from the lot.

Arterial towing

The arterial tow program covers cars disabled on highways. The highway is divided into segments that are exclusively served by companies permitted by the NYPD.

Consumer Complaints and DCA Response

The tow industry is consistently one of the top consumer complaint-generating industries regulated by DCA. Since 2014, the agency has received almost 3,600 complaints from consumers about towing companies. These complaints paint a clear picture of the potential consumer harms in this industry- the top three complaints all relate to overcharging and misrepresentation, while the fourth relates to cars damaged during towing or transport. It is a common predatory practice for tow truck drivers to loiter near private lots and put a consumer's car on the hook illegally as soon as the consumer leaves the property, despite the fact that the company must be called and authorized by the lot owner pursuant to a contract to conduct a lawful tow. Tow truck drivers also demand cash on the spot in excess of the permissible rates, despite the fact that companies are required by law to accept credit cards. Consumers that depend on their vehicle for personal or work purposes and are not aware of their rights may feel that they have no choice but to comply.

One consumer's story, which is typical of private lot towing complaints, involved a simple trip to the laundromat with her mother. The consumer parked her car in a shopping plaza while the consumer and her mother visited a laundromat located inside the plaza. A tow truck approached her vehicle and the driver put it on the hook, but was stopped by a member of the consumer's family before the car could be hauled off the lot. The driver demanded \$125 on the spot to release the vehicle, despite the fact that the tow was illegal because the consumer had not violated any posted instructions and the tow company had not been authorized and summoned by the lot operator. Even if the tow had been proper, the tow truck driver was demanding twice the legal rate for private lot tows that do not take the car off the lot. For many families, choosing between an unexpected expense of \$125 or more and losing their vehicle is painful and unworkable. These types of illegal tows cause real harm to consumers across New York City.

Complaint response

The nature of the towing industry makes it difficult for DCA to prevent consumer harm before it occurs. While the agency produces educational materials and does outreach to inform consumers of their rights under the law, inspectors cannot be present to witness the type of transaction that

gives rise to a towing complaint because it occurs on the street and away from the licensee's business premises. As a result, DCA's enforcement in this area is necessarily complaint-driven.

DCA takes its mandate to protect and assist consumers very seriously, and each complaint goes through a careful process meant to hold companies who violate the law accountable and make the complainant whole where possible. Complaints are first received by our Consumer Services Division, where a mediator may try to resolve the dispute between the consumer and the company. Where resolution is not possible, or where the complaint suggests that the company has violated the law, the Consumer Services Division will refer the complaint to the General Counsel for further investigation.

DCA's General Counsel is empowered to investigate potential violations of the law, assess fines, and seek restitution for wronged consumers. Common violations include failure to maintain or produce records required either by the licensing law or a particular tow program and failure to post required rate signs. As part of the law that increased maximum fees, the Council also increased the penalties for certain violations of the law in 2011. As a result, penalties for towing violations can be quite high and are sometimes an effective motivator for companies to comply with the law, especially when coupled with DCA's authority to deny, suspend, and revoke the licenses of businesses that violate the law or fail to pay their fines. DCA has used this authority to suspend 55 and revoke 15 tow truck company licenses since 2014. Unfortunately, because DCA does not have the authority to docket our fines as judgments in state courts, some companies may decide to go out of business rather than pay what they owe or may try to evade a large fine by dissolving their business and reconstituting it under a new name.

DCA also maintains the Tow Truck Company Trust Fund ("the Fund") as an alternative to the surety bond that companies are required to maintain. The Fund allows DCA to compensate consumers who are wronged by tow truck licensees. In a 2015 case that gives a sense of the type of cases the agency brings in this area, DCA successfully charged a company with a slew of violations, including illegal towing, deficient record-keeping, towing from private lots without authorization, and even towing occupied vehicles. In addition to revoking the company's license and imposing significant fines and consumer restitution, DCA was able to access the Fund to pay out \$6,306 in restitution to victims of the company's predatory conduct. Since 2014, DCA has used mediation and adjudication to obtain almost \$170,000 in restitution for consumers aggrieved by the towing industry.

In addition to legal investigations, DCA conducts inspections of individual tow trucks and towing company business premises for compliance with legal requirements. These inspections take place at the license application and renewal stages. Any company that wishes to participate in either DARP or ROTOW must also pass a qualifying inspection for compliance with the particular requirements of those programs. Since 2014, DCA has conducted more than 5,400 inspections of tow trucks and towing companies.

Intro. 1173

I will now turn to Intro. 1173, which would increase the maximum rates that towing companies may charge for nonconsensual towing and the storage of towed vehicles. The Council last

increased these fees in 2011, and before that the fees were raised in 2004 and 2001. DCA appreciates the opportunity to revisit this issue and weigh in on the proposed increase. After reviewing agency data and researching comparable regulatory schemes in other jurisdictions, DCA does not feel that a further increase in tow fees is warranted at this time. We hope the following details will enrich the Council's legislative deliberations on this subject.

First, the rates proposed in Intro. 1173 would make New York City's tow fees the highest in the country. While the cost of doing business in New York City might be higher than in other jurisdictions, DCA believes that more research would need to be done to justify this dramatic increase and ensure that it is proportional to increases in towing company operating costs. Second, the number of towing companies licensed by DCA has remained steady since the fees were last increased. This suggests that the fees are not so low that companies are leaving the industry. Third, the number of consumer complaints has not decreased since the last increase. Increasing fees does not appear to have disincentivized predatory practices.

Finally, the proposed increases far outpace the rise in the Consumer Price Index ("CPI") and other inflation indicators that measure how far consumers' dollars will go. For example, Intro. 1173 proposes to increase the initial fee for vehicle removal under DARP from \$125 to \$225, an 80% increase in the cost to consumers. In contrast, the CPI has increased just 7% since the Council last increased tow fees. DCA does not believe that increasing fees would serve consumers, who do not have the ability to shop around for the lowest fees and are essentially locked-in to a transaction with the operator performing the nonconsensual tow, or better incentivize companies to comply with the law.

Looking forward

DCA reaffirms that close, careful regulation of the towing industry is the best way to protect consumers and combat predatory behavior. While not all tow truck companies engage in predatory or unlawful behavior, the nature of their business gives these companies tremendous leverage over consumers who are in vulnerable positions. Over three decades of regulating this industry, DCA has gained unique experience with the regulatory structure and would like to offer the Council the following suggestions for updating the law.

First, DCA suggests increasing the license fee for tow truck drivers. Currently, this fee is only \$20, making it among the lowest charged by the agency and insufficient to cover the costs associated with processing applications. The application process for drivers includes fingerprinting, a criminal background check, and initial reviews and ongoing monitoring of Department of Motor Vehicle records pertaining to each licensee. Other license categories with similar application requirements have much higher license fees that better reflect the time and labor costs DCA incurs to administer them.

Second, DCA seeks to work with the Council to ensure that the agency's ability to suspend, revoke, or refuse to renew the licenses of companies that break the law covers all towing-related violations.

Lastly, DCA suggests aligning the requirements of DARP and ROTOW to allow any company qualified to participate in the former program to participate in the latter. Currently, the

requirements for these programs are similar, but not identical, and companies are not enthusiastic about meeting the increased storage requirements of the ROTOW program for what they view as a less lucrative return. Synergizing the two programs would make them more efficient and increase the availability of tow trucks to remove the types of vehicles covered by ROTOW.

Conclusion

I would like to thank the committee for the opportunity to offer testimony today and discuss some of the ways the City can improve its regulation of the industry to better serve consumers. We look forward to continuing the conversation as the legislative process continues. I, and my colleagues, will be happy to answer any questions you may have.



Statement of AAA Northeast, Inc. before the New York City Council Committee on Consumer Affairs

New York, NY – February 14, 2017

Good afternoon. AAA Northeast, which serves over 570,000 members in the five boroughs of New York City and over 5.2 million drivers regionwide, is pleased to submit this testimony, and we would like to thank the Committee on Consumer Affairs for holding this hearing.

Our organization opposes the proposed increases in non-consensual towing rates, as proposed by Intro 1173. AAA believes the increases are unfair and unjustified, exceeding both regulated rates in neighboring jurisdictions and the prevailing on-street towing rates in the City of New York.

The City regulates non-consensual towing, whereby vehicles are towed without the operators' authorization or consent. Non-consensual towing service in the City of New York includes vehicles towed from the City's arterial highway system, damaged vehicles involved in crashes under the Directed Accident Response Program (DARP), and recovered stolen vehicles towed at the direction of the police department (ROTOW). Intro 1173 would increase the rates for each of these tows from \$125 to \$225 for the hook-up alone.

AAA does not believe that a rate increase of 80%, to \$225, is justified. The prevailing non-regulated consensual towing rates on city streets are much lower, closer to \$80 for the first mile.

Moreover, the \$225 rate would be far higher than the rate charged by surrounding municipalities. For example, the first mile rates are \$125 in the Town of North Hempstead and in the City of Yonkers, \$95 in the Town of Oyster Bay, and only \$80 on the New York State Thruway. It would defy common sense for a breakdown tow to cost \$80 on the Thruway just north of the City line, but cost \$225 once a vehicle hits the Major Deegan Expressway by Van Cortlandt Park.

We appreciate that adequate rates are essential to the livelihood of the towing industry. However, an 80% hike far exceeds the rate of inflation. According to the national Consumer Price Index, the compounded inflation from December 2011 to December 2016 was 7%, with lower increases for vehicle-related expenses. Motor fuel is actually significantly cheaper now than it was in 2011, when the last towing rate increase took effect.

More importantly, the incomes of New Yorkers have certainly not risen by 80%. Between 2011 and 2015 (the last year with available Census data), the income of the median single occupant vehicle commuter living in the five boroughs increased by 5.3%. A rate of \$225 for an initial hookup would be a significant burden on New York drivers, particularly the 320,000 vehicle commuters who earn under \$35,000 per year.

In our view, the purpose of regulating non-consensual towing rates is to shield consumers from exorbitant charges, not participate in setting them. In short, we believe that an 80% hike to \$225 for the first mile is excessive and contrary to the City's consumer protection mission. Accordingly, we strongly oppose the enactment of Intro 1173.



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GOOD MORNING. MY NAME IS NORMAN TEITLER. I AM THE EXECUTIVE DIRECTOR OF TABS CONSULTING GROUP. WE REPRESENT THE MAJORITY OF TOWING COMPANIES BASED WITHIN NEW YORK CITY.

WHILE I STRONGLY SUPPORT INTRO, 1173 AND THE RAISING OF NON-CONSENSUAL TOWING RATES, THERE ARE SEVERAL ISSUES THIS INTRO. DOES NOT COVER, SOME OF WHICH I WILL ADDRESS IN MY TESTIMONY.

THERE IS NO DOUBT THAT THE TOWING INDUSTRY NEEDS A RATE INCREASE TO SIMPLY REMAIN IN BUSINESS AND PAY THEIR EMPLOYEES AND THEIR BILLS.

WHAT IS THE PRIVATE TOWING INDUSTRY OF NEW YORK? THEY ARE CITIZENS OF THE CITY OF NEW YORK. THEY ARE TAXPAYERS OF THE CITY OF NEW YORK. THEY ARE VOTERS IN NEW YORK CITY. THEY ARE EMPLOYERS AND BUSINESS OWNERS AND EMERGENCY FIRST RESPONDERS WITHOUT WHOM THIS CITY COULD NOT FUNCTION.

THE TIME HAS COME AFTER MANY, MANY YEARS; AFTER TREMENDOUS INCREASES IN ALL THE OPERATING COSTS OF TOWING COMPANIES IN THIS CITY; FOR THE RATE INCREASES CALLED FOR IN THIS BILL TO BECOME LAW. TABS CONSULTING GROUP AND ALL ITS MEMBERS ARE FULLY IN FAVOR OF A QUICK AND EARLY PASSAGE OF THIS PIECE OF LEGISLATION.

THE LAST RATE INCREASE BECAME EFFECTIVE IN JANUARY 2012 – FIVE YEARS AGO. AT THAT TIME AND EVEN TODAY NEW YORK CITY CHARGES \$185.00 TO TOW A VEHICLE PARKED IMPROPERLY ON A CITY STREET. TOWING A VEHICLE FROM THE SCENE OF AN ACCIDENT IS DANGEROUS AND MUCH MORE LABOR INTENSIVE. HOW CAN THE CITY CONTINUE TO JUSTIFY THE RATE DISPARITY?

THE AMOUNT TOWERS ARE PAID WHEN THEY RETURN “ROTOW” VEHICLES TO THE POLICE POUND HAS NOT INCREASED IN MORE THAN THIRTY YEARS – YES YOU HEARD ME RIGHT, THIRTY YEARS. THIS MUST BE ADDRESSED NOW!

THE COST OF INSURANCE FOR TOW TRUCKS HAS SKYROCKETED. THE PRICE OF TOWING EQUIPMENT HAS DOUBLED. THE PAYROLL FOR TOW TRUCK DRIVERS AND THE RELATED EXPENSES HAVE INCREASED – PARTIALLY DUE TO MUCH HIGHER HEALTH INSURANCE PREMIUMS; SICK PAY MANDATES; AND A HIGHER MINIMUM WAGE.

NON-CONSENSUAL TOWERS HAVE TO MAINTAIN A MINIMUM AMOUNT OF STORAGE SPACE. THE COST OF RENTING PROPERTY IN NEW YORK CITY HAS VASTLY INCREASED OVER THE LAST FIVE YEARS, JUSTIFYING AN INCREASE IN STORAGE RATES. THE TOWN OF HEMPSTEAD IN NASSAU COUNTY AND MANY OTHER MAJOR CITIES, WITH LOWER COSTS OF LIVING THAN NEW YORK, HAVE TOWING AND STORAGE RATES HIGHER THAN WHAT THE CURRENT LAW ALLOWS FOR IN NEW YORK.

THIS CURRENT INTRO. FAILS TO ADDRESS SEVERAL ISSUES – SETTING A “LABOR RATE”; STORAGE RATES FOR ARTERIAL TOWS; RAISING RATES FOR ARTERIAL TOWING OF TRUCKS; PRICING WHEN PD ROTOW’S LARGE TRUCKS AMONG OTHERS.

THERE ARE MANY TECHNICAL ISSUES THAT NEED TO BE ADDRESSED. DUE TO FEDERAL COURT DECISIONS SOME OF THE PRESENT LAWS ON THE BOOKS ARE NO LONGER ENFORCEABLE AND MUST BE REMOVED. THIS HAS RESULTED IN ERRONEOUS CRIMINAL COURT SUMMONSES BEING ISSUED AND TOWING COMPANIES HAVING TO HIRE LAWYERS, ONLY TO HAVE THE COURT DISMISS THOSE TICKETS.

BETWEEN THIS HEARING AND THE SECOND READING OF THE BILL I INTEND TO WORK WITH THE CHAIRMAN, MEMBERS AND COUNSEL FOR THIS COMMITTEE TO INSERT THE NEEDED CHANGES SO THAT THE ISSUE OF RATES CAN BE RESOLVED AT THIS TIME WHEN IT IS SO GREATLY NEEDED BY INDUSTRY.

ONE OTHER SIGNIFICANT ISSUE MUST BE ADDRESSED BY THIS COMMITTEE. I ASK YOU DIRECTLY NOW, THAT A BILL BE INTRODUCED THAT ALLOWS THE 58,000 BUSINESSES LICENSED BY THE DEPARTMENT OF CONSUMER AFFAIRS - TOWING COMPANIES BEING ONLY ONE CATEGORY - THE RIGHT TO EITHER SELL THEIR BUSINESS; TAKE IN A NEW PARTNER; OR SELL A PORTION OF THE SHARES IN THEIR BUSINESS TO A NEW INVESTOR SO THEY CAN EXPAND AND HIRE NEW EMPLOYEES, WITHOUT HAVING TO FORFEIT THEIR CURRENT LICENSE AND START ANEW. THIS BILL MUST BE INTRODUCED NOW SO IT CAN BE PASSED THIS YEAR.

AND FINALLY WE ASK THE CITY COUNCIL TO PASS A RESOLUTION ADDRESSING THE "MOVE OVER" LAW WITHIN THE CITY OF NEW YORK. ON AVERAGE DURING EVERY SINGLE WEEK IN THE UNITED STATES A TOW TRUCK DRIVER IS KILLED PERFORMING THEIR SERVICES TO THE MOTORING PUBLIC. THAT IS MORE THAN ALL POLICE OFFICERS & FIREFIGHTERS COMBINED KILLED IN THE LINE OF DUTY. DRIVERS OF VEHICLES MUST BE AWARE THAT OUR CITY GOVERNMENT BACKS THE CONCEPT OF MOVING OVER FOR EMERGENCY VEHICLES ON THE SIDE OF THE ROAD; AND THE POLICE DEPARTMENT MUST BE URGED TO ENFORCE NEW YORK STATE'S "MOVE OVER" LAW.

IN CONCLUSION, I WANT TO PERSONALLY THANK EACH OF YOU FOR YOUR SUPPORT OF OUR INDUSTRY AND FOR VOTING FOR PASSAGE OF THIS LEGISLATION THAT IS SO URGENTLY NEEDED BY THE PRIVATE TOWING INDUSTRY OF NEW YORK CITY.

JUSTIFICATION FOR

RATE INCREASE

FOR

“ARTERIAL HIGHWAY”

“DARP”

“ILLEGALLY PARKED”

AND

“ROTOW” PROGRAMS

MILEAGE AND STORAGE RATES

PREPARED BY:

**NORMAN TEITLER
EXECUTIVE DIRECTOR**

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TABS CONSULTING GROUP

JANUARY 2017

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ARTERIAL HIGHWAY, DARP, ROTOW AND ILLEGALLY PARKED TOWING AND STORAGE RATES

“Arterial Highways” are roads franchised by the City. A towing company pays the City for the exclusive rights to tow vehicles from that highway. (Belt Parkway, FDR, Cross Island Parkway, Bruckner Expressway, Brooklyn-Queens Expressway, etc.)

DARP (Directed Accident Response Program) is the police program where a tower is called from a rotating list to remove a vehicle from the scene of an accident on City’s streets.

ROTOW (Rotation Tow Program) is the police program where a tower is called from a rotating list to remove and store vehicles reported stolen that have been recovered or vehicles that have been determined to be abandoned.

ILLEGALLY PARKED Removals involves the towing and storing of vehicles blocking a private driveway or parked illegally on private property.

The Administrative Code sets the rates towers may charge for towing and storage for vehicles towed pursuant to the above programs since they are non-consensual towing situations. The consumer does not have the right to choose which company may tow their vehicle. For consensual towing the consumer is free to shop around for the best price.

Towers are presented with challenges such as procedural regulations and dealing with irate and/or distressed motorists (and sometimes police officers). These towers operate 24 hours a day, seven days a week, in all weather conditions. The Arterial, DARP and ROTOW programs require these businesses to maintain twenty-four hour personnel and to have equipment ready for immediate dispatch when called by the police to respond. Arterial Highway towers are also required to have tow trucks constantly patrolling the segments of their franchised highway.

These companies provide quality service to the motoring public and to police officers on the scene. The quality of service is determined not only by timely responses to scenes and savvy dispatchers, but also by keeping accurate records, a secure storage facility and efficient vehicle and property handling processes.

In order to continue to provide this high level of quality service **IT HAS BECOME NECESSARY TO INCREASE THE RATES THAT CAN BE CHARGED** – especially in view of the fact that it has been **THIRTY YEARS – 1987** - since there has been a rate increase for ROTOW vehicles delivered to the Police Department's Property Clerk, and over **FIVE YEARS – January 7, 2012** - since the arterial commercial rates were raised. Increases are needed and warranted for Arterial, DARP and ROTOW and illegally parked towers.

THE PRESENT RATES ARE INADEQUATE. They must be raised in order for towing companies that participate in these programs to survive and in the case of Arterial towers, to earn enough revenue to make the mandated quarterly payments to the City as their permits require. Every company needs to be profitable in order to continue providing superior service to the City of New York and its' motoring public.

The current rates have not been amended in five years to reflect the actual cost of doing business in this City's economic environment. The rates do not reflect the increased cost of doing business – **especially the ongoing staggering cost for fuel and insurance** – costs that are beyond the control of towing companies. (Note: The cost of diesel fuel is higher than the cost of gasoline and its cost has risen proportionately as the price of gasoline increases.)

The City of New York raises taxes and finds ways to generate money to cover its increasing operating costs. Towers need to be able to adjust their rates as needed to cover the cost of operations, especially in light of the fact that their rates are set by law. Towing companies are no different than other business. The taxi industry received increases, the subway fare increased, tolls for the bridges and tunnels increased. Now it is time for the City to increase the rates permitted to be charged by towers.

It must be noted that ROTOW participants are obligated to incur several hours of additional employee and office time to satisfy Police Department paperwork requirements. A representative of the towing company must appear at the police precinct shortly after the tow is performed to pick up paperwork ("voucher"). At times the paperwork is not ready requiring an additional trip(s) to the precinct. If the vehicle is claimed this voucher must be returned to the precinct. If the vehicle is unclaimed a representative from the towing company must then appear at the precinct to pick up different paperwork, in order to deliver the vehicle to the City's Property Clerk. Once at the Property Clerk's Pound the time to "drop" a vehicle averages between 1 – 2 hours. Towers must be compensated for this additional time.

On June 26, 2006, the New York City Department of Finance increased the price of a tow by the City Marshal from \$150.00 to \$185.00, while accident tows have remained at \$125.00. The City's labor to perform this type of tow is simply to lower the wheel lift of the tow truck, mechanically wrap it around the tires, lift the vehicle and drive away. Vehicles don't have to be overturned, hooked and re-hooked or removed from storefronts, off curbs, etc.

Towers that perform the removal of vehicles blocking private driveways or from private property perform a valuable service. Homeowners want to be able to access their driveways. Store owners want their limited parking space available for their customers. Quite often people will park their vehicles in these limited spaces and leave the premises to do business elsewhere. This prohibits customers from having the ability to park their vehicle and frequent the business(es) at that location. The current rate of \$125.00 has not increased in more than FIVE YEARS. Nor does the present law address the size of a vehicle. Trucks that park illegally take up more storage space and require larger towing equipment. In addition to increasing the basic towing rate we wish to create a separate rate for the removal of vehicles registered above 10,000 pounds.

**DIFFERENCE BETWEEN “CUSTOMER”
ORDERED TOWING
vs.
“POLICE/ACCIDENT” TOWING & RECOVERY**

There has always been confusion between normal customer ordered towing and police/accident towing and recovery. What follows attempts to explain the difference in a manner that should delineate that there is a significant difference, which in turn results in a higher cost for police/accident towing.

(a) Let’s review typical “customer” ordered tows. This usually begins with a call from the customer that requires a vehicle to be towed. If this call is received after hours it is explained that if the customer can wait to normal business hours the fee will be less than if the tow is required after hours, when companies incur increased costs due to overtime, etc. The majority of normal customer ordered towing is performed during normal business hours. When the call is received the customer is quoted a price since it is a simple straight forward request because it is normally a standard hook-up. A driver is dispatched, the vehicle is transported, the customer settles the bill and the job is complete.

(b) Now let’s review a police ordered tow. This type of tow is normally received from a police dispatcher requesting service within minutes at any time of the day or night, in all types of weather conditions. Time is of the essence since it is imperative for the officer to resume patrol and for the scene to be cleared. The vehicle is removed to either a place of the vehicle operator’s choosing or brought to the towing company’s facility for safekeeping until arrangements can be made. The tow driver records pertinent information from the vehicle such as the serial number, license plate number, vehicle operator information, inspects and records the damage to the vehicle and inventories all property, in an attempt to prevent unfounded claims of damage or missing property. If the vehicle is returned to the towing company’s storage facility a letter must be sent via certified mail to the owner of the vehicle and to all persons who have a secured interest in the vehicle of a potential lien in the event the vehicle isn’t claimed.

If and/or when the vehicle owner arrives to reclaim the vehicle the owner is brought to the storage facility to view the vehicle. The bill must be explained and settled.

As you can see there are many additional steps and time required in a police ordered tow. Another ingredient in the police tow is a secure impound/storage yard. An 8,000 square foot impound lot, with a chain link fence, which is electronically monitored has an initial expense of about \$32,000 to construct, not including property costs and a monthly expense for electric and monitoring of about \$1,200.00 not considered the additional rental charge.

(c) Police accident/recovery towing is the most dangerous, demanding and most costly of all towing. This type of call is again received from a police dispatcher requesting service within minutes at any time of the day or night in all types of weather conditions.

To meet this most challenging scenario the towing company will need a significant investment in equipment to respond to all types of calls from cars to heavy trucks. These vehicles may be overturned, on top of one another, on embankments and their cargo can range from perishable items, electronics, and furniture to radioactive waste.

The world of recovery – tractor-trailer jack-knifed; truck overturned; cargo strewn all over roadway - requires the highest level of training and expertise from the operator responding, so as not to jeopardize the towing company's business – or the City of New York – by making a serious error which could result in injury or death to the driver, co-workers, emergency responders and have a detrimental impact on the tower's business. Please be aware of the seriousness of recovery, in which the towing company is dealing with all types of scenarios requiring decisions to be made at the scene in a fast and safe manner. In most other professions such as the medical or legal profession there are normally consultations, further evaluations, etc. The recovery operator normally does not have the time to consult with experts or others in his field. The tow truck driver has to develop a recovery plan in a very short period of time, communicate with authorities and implement the plan. This is why recovery is the most expensive of all levels of towing as the risk to the company is the highest. The tow truck driver needs to be highly skilled and a recovery team is a significant expense to maintain due to

the added training costs, alpha pagers, etc. The skill level of the operator demands a salary that is significantly higher than a normal tow operator. **FURTHER, ON AVERAGE DURING EVERY SINGLE WEEK IN THE UNITED STATES A TOW TRUCK DRIVER IS KILLED PERFORMING THE SERVICES OUTLINED ABOVE.** – That is more than all Police Officers & Firefighters combined killed in the line of duty.

The equipment that is necessary to perform all types of recoveries at a minimum costs in excess of \$850,000 and insurance premiums are higher due to the additional risk involved. Often the cargo has to be off-loaded, requiring additional equipment. After a recovery is completed the company usually has to deal with the owner, insurance company adjuster and salvage company, which all equates to extra time after the actual recovery work at the accident scene has been completed.

With all levels of police towing come the abandoned vehicles which result in storage charges in excess of 90 – 120 days; and where the towing and storage fees in most cases are never paid. The value of scrap is negligible compared to the charges owed and the money received in these cases in no way compensates the tower for expenses incurred. This un-reimbursed expense has to be calculated into the cost of doing business just as merchants calculate their prices to account for spoilage and/or shoplifting.

THE FACTORS THAT GO INTO DETERMINING A “FAIR AND COMPENSATORY” TOW RATE

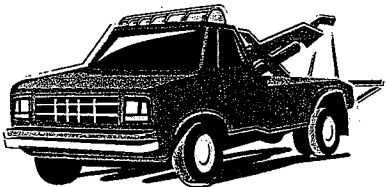
It is Federal Law that mandates any non-consensual towing price regulated by a municipal government be “**compensatory and reasonable**”. What does that mean? It means a rate that covers costs and guarantees the tow operator a reasonable profit margin and return on investment.

What follows is background information which justifies why a rate increase is necessary:

In 1987, when the current rate for ROTOW vehicles delivered to the Police Department’s Property Clerk was set the cost of living and doing business were substantially lower than today. However there has been almost no change to these rates since 1987. **Simple economics and business sense says that the cost of living and operating a business in New York has sky-rocketed over the last thirty years.** With overhead increasing, the rates paid by the New York City Police Department for “ROTOW” vehicles delivered to the Property Clerk at the Pound must go up if this vital service is to continue at the quality level it has always been.

Arterial Highway, DARP and ROTOW participants, and private-property impound companies, must have a rate increase to cope with the following factors, among others, which are beyond their control to compensate them for the increased costs outlined below.

(a) EQUIPMENT



Due to the different type of equipment now required to transport modern day vehicles damage free more expensive towing equipment must be used. This equipment also mandates higher insurance rates due to their additional weight. This also results in increased bridge and tunnel tolls. The cost of equipment has more than doubled in the past ten years. A typical truck that averaged \$24,000, then \$65,000; now goes for \$85,000. The price of a flatbed tow truck equipped with all required items that averaged \$43,000, then went to \$70,000; now goes for \$90,000. There has also been a substantial increase

in price for “heavy duty” recovery equipment ranging from \$175,000 to over \$500,000.

Arterial highway trucks travel approximately 100,000 miles a year patrolling their segment, as required. This requires trucks to be replaced after two years in order to continue providing quality service. The value of these tow trucks at trade-in is less than one-third of their original price.

Most tow trucks operate on diesel fuel. All diesel engine trucks built after January 1, 2007 are mandated by law to meet new emission standards that add \$7,000 - \$10,000 to the cost of a new replacement tow truck. At the same time fuel economy is reduced by a minimum of 2% - 4% - adding to the cost of operation. Please remember, diesel fuel is more expensive than regular gasoline.

(b) **INSURANCE**

In 1995 the State of New York changed the law requiring all tow trucks to possess additional insurance (on-hook coverage and increased levels of coverage). There needs to be an adjustment to the towing rate to compensate towing companies for the ever continuing increase in insurance premiums. Ten years ago insurance used to average \$5,000 per truck. Insurance now averages \$12,000 per truck, assuming the company has a perfect record with no claims. Insurance costs have nearly doubled or tripled in the last five years with no relief in sight. In 1997 it cost approximately \$5.50 per day to insure a truck. In 2012 it cost \$20.55 and today it costs more than \$32.87 per day for the same coverage.

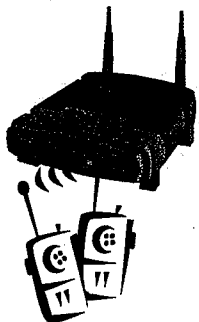
Workers Compensation insurance, which is mandated, has almost tripled in the past ten years. From costing the average company \$5,000 it now costs \$14,500.

(c) **LABOR**

Labor costs for drivers, dispatchers and supervisory staff have all increased over the last several years. A reliable driver today earns approximately \$5.00 more per hour than they did in 2012. The New York State Department of Motor Vehicles now requires a special endorsement (“W”) on a license in order to driver a tow truck. The salary increase has added \$100,000 - \$150,000 to the cost of doing business with proper staffing.

In 1998, the cost of providing health insurance for employees averaged \$150 per month. In 2012 that coverage cost \$450.00. Today that coverage costs almost \$1,000 per month.

(d) **RADIO**



Two-way radio air time and the cost of the equipment has more than doubled. The cost of cell phone usage, beepers and their operating costs have increased. Arterial Towing, DARP and ROTOW participants cannot utilize answering services. These companies must maintain twenty-four hour dispatchers. The salaries of the dispatchers have also increased over the last five years.

(e) **SIGNAGE**

There is specific signage required by the Police Department for Arterial Tow participants. Arterial towers are required to possess "Authorization to Tow" forms consisting of specific wording on both sides of this form. The same applies to DARP participants. They must also possess "Authorization to Tow" forms with different language appearing on each side of the form.

(f) **LIEN EXPENSES**

In 1999 the State of New York amended the lien law requiring towers who perform Police ordered tows (Arterial tows and DARP) to send a notice of "Intent to Lien" by Certified Mail to the vehicle operator and to anyone who has a secured interest in the vehicle. This notice must be sent within five working days from the date of the tow. Since most vehicles are leased or have bank loans, lien notification is often required to be sent to multiple parties. The cost of notification of a lien can range between \$7.00 - \$22.00 per vehicle.

Many vehicles towed from highways or picked up via the DARP program are abandoned by their owner. Towing companies wind up with nothing for their work. They do not collect the towing fee. They do not collect the storage fee. They have to make a trip to the Department of Motor Vehicles to turn in the vehicle's license plates. The cost for a lien of a vehicle went from \$100 in 1998 to \$185 in 2012, then to \$250 today. The cost to lien a

commercial vehicle increased from \$175 to \$325. The time it takes to process a lien results in a vehicle remaining at a towing company's storage facility in excess of 100 days without the company receiving one cent for the towing and storage. To add insult to injury, the towing company, after not earning a cent must now reach into its pocket and spend \$225 - \$325 to legally dispose of the vehicle. Even when a company disposes of a vehicle the amount of money received for the scrap metal in no way compensates a company for the time and labor expended on that vehicle. The towing company would be lucky if the cost of the lien is covered but most often this is not the case.

(g) FUEL



As everyone is aware the cost of fuel has skyrocketed. Most tow trucks use diesel fuel which costs more than gasoline. In 1998 the price of diesel fuel averaged \$1.00 per gallon. In 2003 the cost per gallon averaged \$1.70. **Today it averages almost \$3.50 per gallon.** For the smaller truck that uses gasoline or diesel, the fuel costs have more than quadrupled since 2000.

(h) TRUCK MAINTENANCE



Due to the high volume of mileage on highway tow trucks – because they must constantly be on patrol – each year new shocks and leaf springs must be installed. Trucks require constant wheel alignments and changing of rims from damage caused by pot holes.

Additionally, oil and filter changes are performed often. The trucks used for DARP and ROTOW responses also require constant and costly maintenance. Tire companies are facing dramatic price increases, in raw materials. The price of tires has risen approximately 20% starting in 2012 and still continuing into 2017.

(i) OTHER EXPENSES

Each company must pay an annual fee of approximately \$300.00 to the New York City Department of Finance for payment of the Commercial Motor Vehicle Tax. There is the cost of \$300.00 per year to license each truck (medallion). Arterial towers must place on average, \$20,000 in escrow, without it earning interest, with the City for each segment on which they operate. Towing companies are mandated by law to accept credit cards. Towers must absorb the cost of a service fee for each charge processed, ranging from 1.6% - 3%. This is in addition to the monthly credit card company service fee for overall service.

Since the last rate increase the Department of Consumer Affairs had mandated that companies keep electronic records amounting to an annual cost to each company of approximately \$ 10,000 in additional staffing time.

In conclusion, the additional costs outlined above, have resulted in declining profit margins over the past five years. **If rate increases are not provided at this time the lack of profitability will ultimately result in a decline in service level to both the Police Department and to the motoring public. RATE INCREASES ARE AN ABSOLUTE NECESSITY TO KEEP THE SERVICE LEVEL UP**, as an estimated \$1 Million is lost to the City's economy for every hour of gridlock dues to accidents and other causes.

THE FACTORS THAT GO INTO DETERMINING A "FAIR AND COMPENSATORY" STORAGE RATE

What follows is the basic justification for an increase in the rate for storage.

(a) The cost of leasing real estate has increased substantially within New York City over the past five years. Rents have increased over the years while storage rates have seen no increase at all. The cost for daily parking in a public garage in New York City averages \$55.00 or more per day. Commercial parking lots throughout the City are allowed to place a "surcharge" on sport utility vehicles ("SUVs") which occupy more space than a standard vehicle. Arterial towers, DARP and ROTOW participants are not permitted to do so.

(b) Police towing, including non-consent impound towing, unlike any other work the industry performs, requires storage space – in fact a great deal of it. This storage space must be secure and the property must be located in a properly zoned area. These lots require security, both electronic and manual. In addition to the cost of alarms and alarm monitoring services, the expense of surveillance cameras and recording tape adds to the cost. There is also the cost to illuminate the storage yard. Police ordered tows often result in un-claimed vehicles. These vehicles take up space for at least three or more months at a huge cost to the towing company before they can be liened and disposed of. There is also the cost of insurance for the yard and the surrounding property. The cost of our lawsuit-happy society, crime, etc. adds to the cost of maintaining a storage facility.

(c) Unclaimed vehicles must be put through a lengthy possessory lien process and then sold. Some vehicles are little more than hulks. The cost of hauling them to dismantlers and scrap metal processors in most cases exceeds the amount of money the tower gets paid for the car. Don't forget, the tower has paid approximately \$250 to obtain the right to dispose of the vehicle to a lien company and those towers did not get paid for the towing or the storage of the vehicle.

(d) Removing hazardous materials or elements left behind in the storage facility by accident vehicles and their disposal adds to the cost of maintaining a storage yard. A company cannot take anti-freeze, motor oil, transmission fluid, brake fluid, etc. and simply pour it down a drain. These items must be properly disposed of. The company has to pay a New York State Department of Environmental Conservation permitted service disposal company to come to their facility to pick up these fluids for proper disposal.

(e) Property taxes on storage facility real estate has increased almost every year for the past five years. In the past few years real estate taxes in New York City were raised approximately 18%, boosting these companies rental and property expenses.

NEED FOR A "LABOR CHARGE"

Many of the tows performed by Arterial and DARP towers are the result of a vehicle accident. In some cases multiple vehicles are involved. These tows are different. It's not as simple as "dropping the hook", raising the vehicle and then driving away as towers do who work for the City Marshal or PayLock or NYC PD or when a vehicle has a mechanical failure. Accident towing procedures are often very time consuming for several reasons:

(a) Injuries that require medical attention have tow trucks waiting at the scene until the ambulance is clear and ready to leave. At times the Fire Department or the Police Department's Emergency Services Unit are on the scene requiring towers to wait. While this is a necessary function the tower's equipment and staff is sitting idle, on the scene, and not earning any income.

(b) Police reports must be written. The tow truck driver must continue to wait on stand-by while the accident investigation takes place. Again, a necessary function, but at an expense to the tower averaging more than \$100.00 per hour.

(c) Often vehicles involved in accidents are spun around, flipped over, wrapped around a guardrail or pole, in a ditch, stuck under an overpass, etc. These tows require specific equipment and special recovery procedures in order to insure safety to the vehicle driver, the vehicle, members of the City's Emergency Services as well as avoiding damage to public and private property. On many occasions multiple tow trucks are required.

The rate requested for labor charges will compensate companies for waiting time, a tower's labor that is required above a normal recovery while emergency workers perform their services.

The following is a list of situations encountered on a regular basis by both Arterial and DARP towers where extensive labor must be performed in order to proceed with the towing of a vehicle:

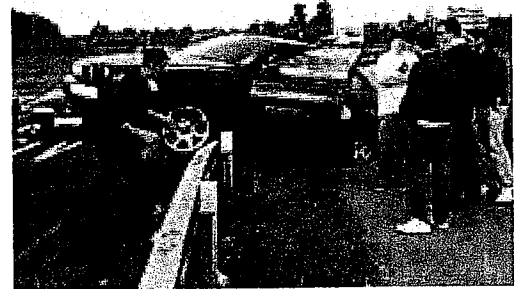
(1) OVERTURNED VEHICLE – When a car flips over it must be rolled back onto its wheels before it can be towed. In order to upright an overturned vehicle a tow truck with an extendable boom must be used. It takes on average a minimum of a half-hour to perform this operation.



(2) VEHICLE ON A SOFT SHOULDER – The vehicle must be winched onto solid ground due to the higher weight of the tow truck. To do otherwise would cause the tow truck to become stuck in soft dirt or sand and will subsequently cause damage to the grassy areas of the shoulder and possibly to the tow truck.

(3) VEHICLE DOWN EMBANKMENT – Similar to a vehicle on a soft shoulder, the vehicle must be winched back onto the roadway before it can be towed.

(4) OVER OR BEHIND A GUARDRAIL – On many occasions two to three trucks are required to lift a vehicle entirely off the ground and then a flatbed has to be placed beneath it for its removal.



(5) VEHICLE SUBMERGED IN WATER – This has occurred many times, i.e. Bayside Marina boat ramps, creeks alongside Laurelton Parkway – where the vehicle has to be slowly winched back onto the roadway.

(6) VEHICLES SITTING ATOP A GUARDRAIL OR DIVIDER – These situations require a car be hooked up and moved slightly four, five or even six times to avoid further damaging or totaling the vehicle.

(7) MISSING ONE OR MORE WHEELS – Cars in these situations must be hooked up and then set down on blocks while the hoist is adjusted to avoid damage to the vehicle.

(8) VEHICLE WITH A FLAT AND NO SPARE TIRE – This vehicle must be lifted and lowered onto blocks in order to avoid damage to fenders, bumpers and oil pans.

(9) TWO VEHICLES STUCK TOGETHER – Vehicles must be lifted and separated, set down and hooked again from the opposite end.



(10) ONE CAR ON TOP OF ANOTHER – With today's advances in aerodynamics and the height of the popular Sports Utility Vehicles (SUVs) many times vehicles end up on top of one another. Once again these situations require separation prior to the actual tow.



(11) VEHICLE STUCK UNDER AN OVERPASS – This also requires additional work beyond dropping the hook and driving away.

(12) VEHICLE WRAPPED AROUND A TREE - This requires multiple winching and separation without additional damage to tree and can take more than one hour to complete.



RATES – CURRENT & PROPOSED

CURRENT

PROPOSED

DARP

Hook-up: \$125.00

\$225.00

**Hook-up: \$140.00
(if vehicle registered
over 10,000 lbs.)**

\$300.00

**Mileage: \$4.00 per mile
(if towed to other than
towing company's facility.)**

**\$ 5.00
where ever vehicle is towed.**

**Storage: \$25 per calendar
day for first 3 days
and \$27.00 per day
thereafter.**

**\$ 40.00 per calendar
day and each day
thereafter.**

**\$ 100.00 per calendar day
and each calendar day
thereafter if the vehicle is
registered above 10,000
pounds.**

CURRENT

PROPOSED

ROTOW

Hook-up: \$125.00

\$225.00

**Hook-up: \$140.00
(if vehicle registered
over 10,000 lbs.)**

\$300.00

**Storage: \$25 per calendar
day for first 3 days
and \$27.00 per day
thereafter.**

**\$ 40.00 per calendar
day and each day
thereafter.**

**\$ 100.00 per calendar day
and each calendar day
thereafter if the vehicle is
registered above 10,000
pounds.**

FOR "ROTOW" VEHICLES TRANSFERRED TO POUND

\$ 60.00	TOWING CHARGE	\$ 100.00
\$ 15.00	STORAGE \$5.00 X 3 DAYS	\$ 30.00
\$ 56.00	STORAGE \$8.00 X 7 DAYS	\$ 120.00
(\$5.00)	UP TO 10 DAYS	(\$10.00)
(\$8.00)		(\$15.00)
<hr/>		<hr/>
\$ 131.00		\$ 250.00

NEW CATEGORY FOR LARGE "ROTOW" VEHICLES

**Must make sure that heavy trucks; tractor-trailers; large box-trucks;
mechanical equipment (Backhoes, Forklifts, Front-loaders) fit into a
special category and can be charged for accordingly.**

CURRENT

PROPOSED

ILLEGALLY PARKED

**\$125 for hook-up
and first three calendar
days of storage.**

\$225.00

**\$275.00 for hook-up
and first three days of
storage, if vehicle is
registered above 10,000
pounds.**

**Storage: \$15.00 beginning
on 4th calendar day and thereafter.**

**\$40.00 beginning on 4th
calendar day and thereafter**

Release Fee at Scene: \$62.50

\$112.50

**\$137.50 for vehicles registered
above 10,000 pounds.**

CURRENT

PROPOSED

ARTERIAL HIGHWAYS

PASSENGER CARS

ROAD SERVICE

\$ 25.00	GAS DELIVERY	\$ 35.00
\$ 25.00	CHANGE TIRES	\$ 40.00
\$ 25.00	BATTERY CHARGE	\$ 40.00

SPECIAL PREPARATION

If Authorized on the "Authorization To Tow" slip by a Police Officer or DOT official on scene for labor or additional piece of equipment:

\$ 50.00
Maximum Charge

PASSENGER CARS

\$ 125.00 – Includes and first 10 miles if towed to other than facility storage yard	HOOK-UP	\$ 225.00 Plus \$5.00 per mile or part thereof if towed to other than facility storage yard.
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\$ 70.00

MOTORCYCLES

\$ 185.00

**\$ 4.00 per mile
1st mile free**

MILEAGE

**\$ 4.00 per mile
Starting At Point
Of Hook-Up**

**\$ 15.00 – first
3 days**

STORAGE

**\$ 25.00 per day
Starting On 1st – 3rd
calendar day. \$ 35.00
per calendar day
thereafter.**

**\$ 17.00 per day
Thereafter**

CURRENT

PROPOSED

ARTERIAL HIGHWAYS

COMMERCIAL RATES

4,500 LBS – TO – 10,000 LBS

\$ 125.00	HOOK-UP	\$ 185.00
\$ 5.00 per mile	MILEAGE	\$ 7.00 per mile
\$ 35.00 per day	STORAGE	\$ 40.00 per day

10,000 LBS – TO – 18,000 LBS

\$ 175.00	HOOK-UP	\$ 225.00
\$ 10.00 per mile	MILEAGE	\$ 12.00 per mile
\$ 50.00	UNDER-REACH	\$ 60.00
\$ 50.00 per day	STORAGE	\$ 60.00 per day

18,000 LBS – TO – 25,000 LBS

\$ 250.00	HOOK-UP	\$ 300.00
\$ 10.00 per mile	MILEAGE	\$ 12.00 per mile
\$ 50.00	UNDER-REACH	\$ 60.00
\$ 50.00 per day	STORAGE	\$ 60.00 per day

ABOVE 25,000 LBS

\$ 300.00	HOOK-UP	\$ 375.00
\$ 10.00 per mile	MILEAGE	\$ 15.00 per mile
\$ 100.00	UNDER-REACH	\$ 100.00
\$ 50.00 per day	STORAGE Tractor	\$ 75.00 per day
\$ 75.00 per day	STORAGE Trailer	\$ 85.00 per day

LABOR RATE OF \$ 50.00 PER ¼ HOUR REMAINS SAME.

SPECIAL EQUIPMENT/TIRE SERVICE STAYS SAME.

In the City of New York

For Sheriff, Marshal and Police Department Traffic Enforcement tows the City of New York charges \$185.00 per tow. These tows are simple hook-ups requiring the driver to lower the towing apparatus, mechanically wrap the towing equipment around the front or rear wheels, lift the vehicle and drive away for the sum of \$185.00. For a larger vehicle the City now charges \$370.00. For these simple types of tows the City claims it does not make a profit. The law requires the City to charge a sum that will cover its expenses.

If New York City charges \$185.00 to cover its expenses, how can the City expect independent towers to survive at rates less than what the City presently charges? Additionally, towers pay tens of thousands of dollars in insurance. The City is not required to do, since it is self insured.

At present, if a person parks on the streets of New York City in a “no-parking” area a Police Department Traffic Enforcement tow truck arrives. The driver issues a summons, lowers it’s hook, picks up the vehicle and transports it to a storage facility. The consumer arrives and pays \$185.00 to the City for the tow, plus the cost of the summons. A tower who responds to a City accident, who has to overturn a vehicle, hook and re-hook it, then transport it to its storage facility is compensated with \$125.00. What’s wrong with this scenario?

What’s wrong is that the current rates for DARP, ROTOW, IMPOUND and ARTERIAL towing must be increased to allow towing companies to be paid a “fair and compensatory” rate.

CONCLUSION

The proposed changes will allow a “fair and compensatory rate” that is required by current case law, per Federal District Court, Circuit Court and United States Supreme Court decisions.

What was considered a fair and compensatory rate in the past is no longer fair, compensatory and reasonable today in 2017. The volume of tows has decreased up to 20% across the City due to repaving of highways, road construction and increased safety equipment on vehicles, yet the price of doing business has increased.

It has been outlined that the cost of salaries, insurance, rent, fuel, the cost of equipment and maintenance, etc. have all increased over the years. At the present towing and storage rates, companies cannot continue to possess modern equipment, keep it properly maintained and be readily available to respond to police calls when dispatched.

With the cost of fuel increasing over the years – and now increasing almost every week - and with the mandated “patrolling” on arterial highways, this has had a devastating economic impact on each tow truck company’s bottom line.

In conclusion, we believe we have presented ample and sufficient justification for the rates of towing and storage to be increased.



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TESTIMONY OF RALPH GONZALEZ AT THE COMMITTEE OF CONSUMER AFFAIRS ON FEB. 14 2017 IN SUPPORT OF INT. NO. 1173 IN RELATION TO INCREASING THE MAXIMUM CHARGES FOR TOWING OF MOTOR VEHICLES.

GOOD MORNING DISTINGUISHED CHAIRPERSON AND COMMITTEE COUNCILMEMBERS: I COME HERE BEFORE YOU TODAY TO URGE YOU TO SUPPORT INTRO NO.1173 IN RELATION TO INCREASING THE MAXIMUM TOWING FEE ON NON CONSENSUAL TOWING AS IT APPLIES TO THE FOLLOWING SITUATIONS: #1 PRIVATE PARKING LOTS WHERE WARNING SIGNS ARE CLEARLY POSTED WITH WHOM IS ALLOWED TO PARK THERE AND UNDER WHAT CONDITIONS ,USUALLY WHILE SHOPPING AT THE ESTABLISHMENT AND FOR HOW LONG.THESE SIGNS ARE POSTED AS PER THE RULES AND REGULATIONS ALREADY ESTABLISHED BY THE DEPARTMENT OF CONSUMER AFFAIRS WHO HAS BEEN GIVEN A LIST OF ALL LOTS THAT THE COMPANY SERVICES. #2 DRIVEWAY TOWS WHERE MOTORISTS PARK ILLEGALLY IN A DRIVEWAY AND A POLICE OFFICER HAS WRITTEN A SUMMONS FOR THE VIOLATION AND A SPECIFIC REQUEST HAS BEEN MADE TO THE TOWING COMPANY BY EITHER THE PROPERTY OWNER OR THE TENANT RENTING THE PROPERTY. #3 THE DIRECTED ACCIDENT RESPONSE PROGRAM SET UP BY THE COUNCIL BACK IN 1989 FOR THE ORDERLY REMOVAL OF VEHICLES INVOLVED IN ACCIDENTS THAT CANNOT SAFELY DRIVE FROM AN ACCIDENT SCENE AND ENFORCED BY THE NYC POLICE DEPARTMENT AND THE NYC DEPARTMENT OF CONSUMER AFFAIRS. #4 ARTERIAL HIGHWAYS WHERE APPROVED COMPANIES HOLD A CONTRACT WITH THE CITY OF NEW YORK AND PAY A SUBSTANCIAL FEE TO THE CITY OF NEW YORK FOR THE EXCLUSIVE RIGHT TO HAVE A FRANCHISE TO SERVICE A PARTICULAR HIGHWAY OR PARKWAY.

THE SERVICES WE PROVIDE IN RELATION TO THE DIRECTED ACCIDENT RESPONSE PROGRAM ARE UNIQUE IN KEEPING THE STREETS AND INTERSECTIONS CLEAR OF ACCIDENT VEHICLES NOT ONLY FOR EMERGENCY VEHICLES TO GET THROUGH THE BLOCKED STREETS AND INTERSECTIONS BUT ALSO FOR THE EVERYDAY MOTORING PUBLIC WHO WOULD OTHERWISE BE STUCK IN A HORRENDOUS TRAFFIC JAM. WE ARE REQUIRED BY REGULATION TO PROVIDE THIS SERVICE ON A ROTATION BASIS 24 HOURS A DAY 7 DAYS A WEEK 365 DAYS OF THE YEAR REGARDLESS OF WEATHER CONDITIONS AND TO RESPOND TO ACCIDENT SCENES WITHIN 30 MINUTES OF GETTING CALLED UPON BY THE 911 OPERATOR AFTER A

POLICE OFFICER INITIATES A REQUEST FOR TOWING OF SAID ACCIDENT INVOLVED VEHICLES. BY CONSUMER AFFAIRS RULES AND REGULATIONS IF WE REFUSE A CALL FOR SERVICE OR IF OUR TELEPHONE RINGS BUSY OR GOES UNANSWERED FOR WHATEVER REASON MORE THAN 3 TIMES IN A SIX MONTH PERIOD CONSUMER AFFAIRS CAN AND HAS LEVIED FINES OF \$1,500.00 DOLLARS AND SUSPENSION FROM THE PROGRAM FOR UP TO 30 DAYS!!!! ADDITIONALLY MORE OFTEN THAN NOT THESE ACCIDENT VEHICLES ARE WITHOUT KEYS AND /OR ARE LOCKED TOGETHER AND REQUIRE ADDITIONAL ,TIME AND LABOR OR ARE EMBEDDED IN A BUILDING OR STORE FRONT OR INTO A FENCE OR OTHER OBJECT REQUIRING ADDITIONAL LABOR AND TIME OF WHICH WE ARE CURRENTLY NOT BEING PROPERLY COMPENSATED FOR.

OUR COSTS OF DOING BUSINESS IN THE CITY OF NEW YORK IS CONSTANTLY RISING EVERY YEAR WITHOUT FAIL IN AS MUCH AS TRUCK INSURANCE,FUEL,MAINTENANCE COSTS,LABOR COSTS,AND THE ACTUALL EQUIPMENT ITSELF WHICH MUST BE REPLACED PERIODICALLY SAME AS ANY FLEET LIKE POLICE CARS ,AMBULANCES ,FIRE TRUCKS ,TAXICABS ETC,ETC. ADDITIONALLY THE COSTS OF RENT PROPERTY INSURANCE, UTILITIES SUCH AS WATER AND SEWER , CON EDISON FOR GAS AND ELECTRIC ,TELEPHONE, PROPERTY TAXES WHICH EVEN IF YOU RENT GETS PASSED ALONG IN COMERCIAL LEASES TO THE RENTER.WE VERY SIMPLY CANNOT CONTINUE TO PROVIDE EXCELLENT SERVICES ROUND THE CLOCK WITHOUT ADDITIONAL FUNDS WHICH IN OTHER BUSINESS ARE ALWAYS PASSED ON AS NEED BE. IT IS THEREFORE THAT I URGE YOU ALL TO PLEASE APPROVE THIS INCREASE SO THAT THIS INDUSTRY CAN CONTINUE TO PROVIDE THESE MUCH NEEDED SERVICES TO BOTH THE CITY OF NEW YORK AND TO THE MOTORING PUBLIC. I THANK YOU FOR YOUR TIME HERE TODAY IN LISTENING TO ME AND FOR ALL CONSIDERATIONS GIVEN TO THIS MATTER NOW AND IN THE FUTURE. RESPECTFULLY RALPH GONZALEZ.

February 14, 2017

Department of Consumer Affairs Committee Hearing on Towing Industry

**Testimony: Joseph K. Robles, President, Knights Collision Experts, Inc.
NYC Vice President, Empire State Towing & Recovery Association**

Good morning, my name is Joseph K. Robles, President of Knights Collision Experts, Inc., located at 2000 Eastern Parkway in Brooklyn. I am a third generation owner-operator of an auto repair and towing company that services the five boroughs of the city of New York. We employed approximately forty five individuals (full and part-time) and now employ approximately thirty five individuals. We are a certified MWBE firm and I also serve as the NYC Regional Vice President of the Empire State Towing & Recovery Association.

Due to the cost of living, fuel costs, equipment costs, insurance costs, labor cost and facilities cost that have all increased over the last five years in some cases over 100%. We are an industry that services the City's motorists in there time of need. This is our time of need. Without immediate relief in the form of rate increases the industry as a whole is in danger of extinction.

If you think the term in danger of extinction is harsh or exaggerated, perhaps I should cite what happened last February to my own company which was established in 1948 by my grandfather. What is by far the biggest threat to the towing industry in the City of New York is the cost of insuring tow trucks. My insurance policy renews March 1st and last year I was presented with a renewal premium for my 30 tow truck operation that jumped from approximately \$400,000.00 per year to \$1,200,000.00. That amounted to a 200% increase where my only option was to close the business. Three days before I was planning to remove every license plate from all of my equipment an option where I would have to reduce the size of my fleet down to 18 trucks and lay off several employees was figured out under extreme duress and many sleepless nights.

If you have any doubt of the facts of my story, last year on this very day our operation had a very large presence in Manhattan that we do not have today. It was not easy for entrepreneur who has worked his entire career, to break down his company. Knights Collision no longer services the FDR Drive, Harlem River Drive or the 59th Street Bridge for the NYPD. Knights Collision no longer tows seized vehicles for the NYC Sheriff and two NYC Marshal's.

What I did was not an easy task but was the only way I could keep my company from closing its doors after 68 years in business. My greatest fear is if the tow rate increase that is being proposed today is not passed very quickly, that I will not be able to keep up to the rest of the additional cost that my company faces day in and day out. That story only speaks of the challenges of one expense which is insurance. Labor costs are rising drastically due to minimum wage laws and the skyrocketing cost of living our employees are faced with as well. Rents and property cost in the City of New York have undergone increases that have already put small, large and some very famous City landmarks out of business that have been in business for decades like myself.

This industry cannot just raise its rates when its cost rises as most businesses can. We are forced to seek approval from the New York City Council to raise our prices only after we have experienced our cost rise to the point where many of our colleagues have gone out of business because they could not hold out or come up with an option like I did last year. The future if this small business community and the quality of the services it provides to the motorists of the City of New York are now in the hands of this Committee and the NYC Council as a whole. Please do right by this blue collar industry that comes to the help of your constituents in their greatest time of need and support this Bill until it is signed into law.

The Empire State Towing Association has provided you with several examples of municipalities that have allowed the Towing Industry to earn a fair living wage by raising the regulated tow rates in their areas. I can personally attest that the costs and expenses to operate within those municipalities are far less than those required to operate a towing company within the City of New York. We have made a compelling argument on how and why we need regulated towing rates that allow us to stay in business because what we have now are clearly the lowest rates in the State of New York and in most cases, the rest of the Country.

I will make myself available to this Committee or any of its staff to work together on any matters concerning the Towing Industry. It is important that we continue to provide the motorist of this great city reliable towing services when they are in a time of need. I hope this Administration and this Council's policy in dealing with small business accept this request to allow the Towing Industry a fair wage as various other municipalities have with input from the Towing Industry.

Testimony of the Empire State Towing and Recovery Association

Before the

Consumer Affairs Committee of the New York City Council

On the Subject of

Intro 1173-2016

Submitted by:

Peter B. O'Connell, Counsel

My name is Peter O'Connell and I am counsel to the Empire State Towing and Recovery Association ("ESTRA"). I am appearing today in support of ESTRA's request for an increase in fees for DARP, ROTOW, Arterial Highway and Private Property tows from \$125.00 to \$225.00 for towing and from \$25 and \$27.00 to \$40.00 for storage.

Although this request would appear to call for a dramatic increase in fees, it is simply what towers need and deserve for the dangerous and necessary services that they provide for the City.

I have requested fee increases for the towing industry before this committee since 1996 and have never postured in my requests by asking for a pie-in-the-sky fee with hopes of settling for a fee somewhere between my request and the existing fee. I have always asked for an increase that is fair, reasonable and comparable to rates allowed elsewhere in the state and in other metropolitan cities.

For example, I requested an increase from \$65.00 for DARP tows and \$50.00 for ROTOW tows to \$125.00 in 2000 and was rewarded with an increase to \$80.00 for DARP tows and \$70.00 for ROTOW tows. We got the \$125.00 in 2010, when I requested an increase to \$185.00, which, by the way, was the rate that

NYPD and other City agencies received (and still receive) for parking and similar violations. To my way of thinking, we should be going from \$185.00 to \$225.00 today, which isn't nearly as dramatic an increase.

I shouldn't have to go in detail about the cost of doing business in New York City. It is quite possibly the most expensive city in the country to do business. Costs for real estate, fuel, taxes, labor and insurance have increased dramatically in recent years, but towing rates have not kept pace. The current rate of \$125.00 is among the lowest of any major city in the country.¹

Closer to home, some exiting rates are as follows:

- Town of Hempstead: \$175.00 and \$5.00 per mile, which averages out to approximately \$200.00 per tow.
- Towns of New Paltz and Lloyd (Highland): \$200.00 for a daytime tow and \$250.00 for a nighttime tow. \$65.00 per day for outside storage and \$85.00 per day for inside storage.
- Town of Southampton: \$325.00 for daytime tow and \$350.00 for nighttime tow, plus \$5.00 per mile. \$30.00 for outside storage and \$125.00 for inside storage.

¹ When I testified in 2010, tow rates ranged from \$220.00 in San Francisco to \$150 in Philadelphia. I am in the process of compiling tow rates for several major metropolitan areas.

- Village of Southampton: \$250.00 for a daytime tow and \$275.00 for a nighttime tow.
- Town of Islip: \$160 for towing and \$30.00 for storage.
- Town of Huntington: \$185.00 for towing and \$35.00 for storage
- Town and Village of Easthampton: \$250.00 for a daytime tow and \$275.00 for a nighttime tow.

Although many upstate towns and villages set rates that are comparable to New York City rates, most rotation plans are maintained by the State Police and Sheriff Departments, which do not set rates. Rather, they allow towers to charge their ordinary and customary rates and reserve the right to reject these rates if they are deemed to be excessive.

Towers in the Capitol District and Mid-Hudson Valley generally charge between \$175.00 and \$200.00 for a non-emergency tow and \$250.00 for an accident tow, with add-ons for winching, waiting, labor and cleanup. Most storage rates run between \$50.00 and \$75.00 per day.

It seems like most of the rate hearings that I have participated in have been held during trying times for the industry, such as an economic downturn in the wake of 9/11 and skyrocketing fuel costs. This year's crisis is the high cost of

insurance. During the past year and a half, eight or nine companies, including Progressive, Zurich and AIG, have stopped writing towing insurance. Those companies that have remained are seeking enormous increases.

A major insurance executive was quoted recently in the Insurance Journal (copy attached) that one in four towing companies are closing shop because they cannot afford insurance. Premiums are increasing by 100 to 150 percent on accounts that have no claims.

New York City is leading the pack in this insurance crisis. I have been advised that there are fewer than five insurance companies that are writing policies in the City at this time. It is a seller's market and towers are really getting squeezed, but I am sure that you will hear more about this from other speakers.

In closing, I can only reiterate the need that the towing industry has for this rate increase. I would also ask that you consider additional relief that is not currently contained in this bill in the form of a rate increase for heavy duty vehicles for arterial towers – something that has not occurred in over 20 years. I have attached a copy of this proposal to my testimony.

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Tow Truck Market Gets Hit Hard as Carriers Exit Market

Tow truck drivers operate in a dangerous world. Every day they face angry drivers while repossessing vehicles, dangerous driving and road conditions, near misses while operating heavy equipment, and close calls on U.S. freeways while hitching up wrecked vehicles.

These are just a few of the reasons why the tow truck market is in a state of emergency, says one broker specializing in this class. Another reason: a crumbling insurance market with fewer and fewer carriers willing to write the business.

Chip Thompson, president and CEO of American Transportation Insurance Group (ATIG), has never seen the insurance market for tow trucks this bad since opening the doors of his specialty agency in 2001.

"I've never seen anything like what I've seen happen in the last six months," said Thompson, whose book of towing and repossession business nears \$20 million in premium. He's been specializing in the higher risk transportation market, particularly in the garage, towing, trucking and repossession markets, on a nationwide basis since 2001.

"Right now, we are working three times as hard just to keep the risks that we have on the books." The P/C industry's competitive environment is not the problem, Thompson adds. The insurance market is so difficult for tow trucks some are forced to close shop. "We are losing one out of every four customers and we are not losing them to other agents. They are shutting down," he said.

Mike House, vice president, producer, broker for USG Insurance Services Inc. in Canonsburg, Pa., agrees.

"Towing is a very difficult market right now," House said. "None of my markets will write a towing operation and schedule a tow truck for auto liability or physical damage." House said his markets will write the garage liability but won't touch the scheduled auto for the tow truck. "It is a very difficult market and I'm hearing a lot of companies are pulling out."

The tow truck insurance market has been hit with myriad factors leading to its current state of disrepair, according to Thompson. From reinsurance drying up to the commercial auto market exploding, combined with the ever-increasing costs of litigation and health care, tow truck firms are facing heavy obstacles and it's only just begun.

Most of the U.S. commercial auto insurance market has had a tough time in recent years and tow truck operators are no exception.

The commercial auto market as a whole has posted underwriting losses for five consecutive years and has evolved into the most chronically underperforming product segment for U.S. property/casualty insurers, according to Fitch Ratings.

"It's the perfect storm for garage and commercial auto in the last six months and I don't see it letting up anytime soon," Thompson said.

Shock Wave

The biggest shock wave hit the industry in September 2016 when Progressive pulled the plug on the towing sector nationwide, Thompson said.

"That was the bellwether for everything else that followed after that," he said. "In the last 18 months, we've lost eight to nine carriers in this space and it's a small field anyway."

Some carriers made a profit and exited, some carriers lost money and exited, and some decided they didn't want to write the class of business anymore, Johnson said. "It's gone all ends of the spectrum."

Progressive's exit shut down any hope of new carriers coming into the space as well. "When Progressive shut it down that shut everybody else down," Johnson said.

"It seemed as if the carriers that were entertaining coming into the market thought, 'If Progressive is going the other way why are we going toward it?' Progressive is very technologically savvy," Johnson said. "They understand the rates per the ZIP code per the risk per the street. They are pretty good at what they do and if they can't make money on towing who can?"

Progressive hasn't gone so far as to leave current policyholders empty-handed, but will not be taking on new accounts.

"We're not currently taking on new towing business, however, we continue to insure our existing customers," Brett Stalnaker, Progressive's commercial auto product manager told Insurance Journal.

Stalnaker says the insurer will return to the towing segment in the future. "In order to be more accurately priced, we're making some small changes to our program, including introducing new segmentation and fully expect to continue insuring new tow truck business at some point in the near future," he said.

The current state of the market for tow trucks hit very hard and very fast, Johnson said. "Normally I would think there would be 20 percent or 30 percent increases (in difficult times) but we are seeing 100 percent to 150 percent increases on accounts with no claims," he said. "Anyone in the commercial auto space right now, if they haven't gotten hit, they are going to be hit with a sledge hammer in the first two quarters of this year."

Cost Drivers

Continuing challenges in commercial auto liability range from distracted driving to increased miles driven and vehicles on the road to higher vehicle repair costs and rising severity in liability claims. Tow trucks are no exception.

"Commercial auto in general is not going to catch a break for the next several years," Johnson said. Most everything that's commercial auto from trucking to dump trucks to garage risks is difficult. "Any place now where there is a human being touching an auto is warfare."

For tow trucks, it's rear-end collisions that are "bringing insurance companies to their knees," Johnson said.

"Drivers are going too fast and are distracted," Johnson said. "When you are driving a heavy commercial vehicle, like a tow truck, and you hit a car with three or four people in it, all of those people have neck and back injuries, you total their car, you will have \$30,000 worth of damage to your tow truck, and it's just a rear-end collision, which theoretically is preventable."

Right now, Johnson and ATIG are doing damage control and just trying to keep their current clients insured. "We are working three times as hard to keep the risks that we have but there's a lot of angry people right now. We are catching it from all sides."

'None of my markets will write a towing operation and schedule a tow truck for auto liability or physical damage.'

MGAs, other brokers, and the few insurers left in the space are swamped. "We are trying to hold our clients' hands through this and explain what's going on."

Johnson has even had to turn away new business. "People are calling up panicked, they are in tears because they are going to lose their business. They expire in two days and their premium tripled but you can't help them," he said. "I'm at the mercy of the MGAs/brokers/insurers and they only have so much manpower. Everyone is on edge."

Managing Risk

The only thing towing companies can do is to manage their risk, Johnson said.

"I've got guys that are now putting cameras inside the trucks both facing outward and inward and if they catch their drivers eating or talking on the phone or texting, there is zero tolerance. They are fired," he said.

He doesn't expect the insurance market for towing to bounce back anytime soon either. "It will be a long time before insurers react to improved risk management in firms."

For now, focus on driver training, he said. "I can't specify that enough. And settle more claims out of pocket if you can legally. And if you have insurance right now, and it's semi affordable, then protect it with your life."

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§3. Section 20-509-1 of the administrative code of the city of New York, as amended by local law number 41 of the year 2011, is amended to read as follows:

Rates for arterial tow permittees. a. Notwithstanding any other provisions of this subchapter, charges for the towing of disabled passenger vehicles from an arterial roadway by an arterial tow permittee authorized by the commissioner of transportation or the police commissioner shall be ~~one~~ two hundred twenty-five dollars ~~[for the first ten miles or fraction thereof and four dollars for each additional mile or fraction thereof], and \$40 per day for storage of such vehicle . If a person in charge of the vehicle, other than a police officer, requests that such vehicle be towed to any location other than the storage facilities of the arterial tow permittee, such arterial tow permittee may also charge a mileage fee of five dollars per mile or portion thereof for the distance traveled from the place of accident or disablement to the location where the vehicle is towed; provided, however, that such distance shall be measured on a route available for commercial vehicles from the place of accident or disablement to the location to which such vehicle is towed,~~

b. Notwithstanding any other provision of this subchapter the charges for the towing of a vehicle other than a passenger vehicle from an arterial roadway by an arterial tow permittee authorized by the commissioner of transportation or the police commissioner shall be (1) \$225 for the preparation, hoist and tow, including the first mile or fraction thereof and \$10 for each additional mile for any vehicle with a maximum gross weight over 4,500 pounds and under 10,000 pounds; (2) \$325 for the preparation, hoist and tow, including the first mile or fraction thereof and \$20 for each additional mile for any two axle truck or bus with a maximum gross vehicle weight from 10,000 to 18,000 pounds; (3) \$400 for the preparation, hoist and tow, including the first mile or fraction thereof and \$20 for each additional mile for any two axle truck or bus with a maximum gross vehicle weight from 18,000 to

26,000 pounds; and (4) \$500 for the preparation, hoist and tow, including the first mile or fraction thereof and \$20 for each additional mile for any two axle truck or bus with a maximum gross vehicle weight of over 26,000 pounds. Storage for any vehicle with a maximum gross vehicle weight of over 4,500 pounds shall be \$100 per day.

THE COUNCIL
THE CITY OF NEW YORK

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[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/14/17

Name: Charles Gampero Jr. (PLEASE PRINT)

Address: _____

I represent: Jets Towing Inc.

Address: _____

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THE CITY OF NEW YORK

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I intend to appear and speak on Int. No. 1173 Res. No. _____

in favor in opposition

Date: Feb. 14, 2017

Name: Ralph Gawronski (PLEASE PRINT)

Address: _____

I represent: Big City Auto Body & Towing

Address: 37-24 13 St. L.I.C. N.Y. 11101

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Date: 2/14/17

Name: Michael Tigra, Deputy General Counsel (PLEASE PRINT)

Address: _____

I represent: NYCDOA

Address: _____

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in favor in opposition

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(PLEASE PRINT)

Name: MORRISON, ALISTAIR, Commissioner

Address: _____

I represent: NYC DCA

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(PLEASE PRINT)

Name: COSEY ABRAHAM, Deputy Director of

Address: City Legislative Affairs

I represent: NYC DCA

Address: _____

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in favor in opposition

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(PLEASE PRINT)

Name: J. Wilson, (Chair), Associate Council Member

Address: _____

I represent: NYC DCA

Address: _____

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Date: 2/14/17

(PLEASE PRINT)

Name: Amit Baga, Deputy Commissioner

Address: _____

I represent: NYC SCA

Address: _____

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Date: 2/14/2017

(PLEASE PRINT)

Name: John Corlett

Address: 1415 Kellum Place Garden City

I represent: AAA NY 11530

Address: _____

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I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Joseph K Robles

Address: 2000 Eastern Parkway, BKlyw, NY 11233

I represent: Knights Collision & ESTRA

Address: _____

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(PLEASE PRINT)

Name: PETER O'CONNELL

Address: 130 WASHINGTON AVE, ALBANY

I represent: ESTNA

Address: _____

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in favor in opposition

Date: 2/14/2017

(PLEASE PRINT)

Name: NORMAN TEITLER

Address: 252 ST. BLENCHEN NY

I represent: TOWING INDUSTRY

Address: SAME

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