



Legislation Text

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Int. No. 821-A

By Council Members Koslowitz, Spigner, Carrion, Dear, Henry, Marshall, Nelson and Linares.

A Local Law to amend the administrative code of the city of New York in relation to fees collected by tow operators who remove vehicles under the DARP and ROTOW programs.

Be it enacted by the Council as follows:

Section 1. Subdivision a and b of section 20-509 of such code are amended to read as follows:

a. Except as otherwise provided, charges for the towing of vehicles shall not exceed fifty dollars for the first mile or fraction thereof and [three dollars and fifty cents] four dollars for each additional mile or fraction thereof; provided, however, that where a motor vehicle has been booted by a person licensed pursuant to subchapter 32 of this chapter in a private lot as defined in paragraph 3 of subdivision b of section 20-531 of such subchapter and such vehicle is subsequently towed, no additional charge may be imposed for the towing of such vehicle.

b. Except as otherwise provided, charges for storage of vehicles shall not exceed [ten] fifteen dollars for each twenty-four hours or fraction thereof for the first three days of storage and [fifteen seventeen] dollars for the fourth day of storage and each day thereafter.

§ 2. Paragraph 4 of subdivision b of section 20-518 of the administrative code of the city of New York, is amended to read as follows:

4. Notwithstanding any other provision of this subchapter, a towing company that removes an accident vehicle to its storage facility at the place of business which qualifies such company for participation in the directed accident response program or to its auxiliary storage facilities approved by the commissioner, shall not charge for the towing of [such] a vehicle registered at a weight of ten

thousand pounds or less and the first day of storage for such vehicle a fee exceeding [sixty-five] eighty dollars. A towing company participating in the directed accident response program shall not charge for the towing of an accident vehicle registered at a weight of more than ten thousand pounds and the first day of storage for such vehicle a fee exceeding one hundred and twenty-five dollars. Such [sixty-five dollar] fees shall be inclusive of all charges for the removing and towing of such vehicles to such storage facility and for the first day of storage.

§ 3. Paragraph 1 of subdivision c of section 20-519 of such code is amended to read as follows:

1. Notwithstanding any other provision of law, the towing company shall be entitled to charge the owner or other person claiming a vehicle that is suspected of having been stolen or abandoned or a vehicle with certain alarm devices subject to removal pursuant to section 24-221 of the code which was directed to be towed by the police department pursuant to this section and which is claimed before the end of the thirtieth day after such vehicle is removed by such towing company amounts not in excess of the following: [fifty] seventy dollars for the towing of a vehicle registered at a weight of ten thousand pounds or less; one hundred and twenty-five dollars for the towing of a vehicle registered at a weight of more than ten thousand pounds; [ten] fifteen dollars per day for the first three days and [twelve] seventeen dollars for the fourth day of storage and each day thereafter. Upon the transfer of an unclaimed vehicle into the custody of the police department property clerk, the towing company shall be entitled to charge the police department amounts not in excess of the following: sixty dollars plus tolls for the towing of a vehicle suspected of having been stolen or abandoned, a vehicle that was blocking a private driveway and was removed pursuant to section 19-169 of the code or a vehicle with certain alarm devices that was removed pursuant to section 24-221 of the code, to a storage facility and subsequent transfer of such vehicle into the custody of such property clerk during the period of time specified in paragraph one of subdivision b of this section; five dollars per day for the

first three days of storage of such vehicle and eight dollars for the fourth day of storage and each day thereafter, provided that in no event shall any towing company be entitled to charge the police department for storage charges incurred after the tenth day of storage. The towing company shall be entitled to charge the police department an amount not in excess of sixty dollars plus tolls for the towing of an evidence vehicle to a location designated by a police officer.

§ 4. This local law shall take effect ninety days after it shall have become a law, provided that the department of consumer affairs may take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.