Legislation Details (With Text)

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Title:	A Local Law to amend the administrative code of the city of New York, in relation to rates for the towing of motor vehicles.		
Sponsors:	Leroy G. Comrie, Jr., Lewis A. Fidler, Sara M. Gonzalez, Letitia James, G. Oliver Koppell, John C. Liu, Kendall Stewart, Alan J. Gerson, James F. Gennaro, Vincent J. Gentile, Helen Sears		
Indexes:			
Attachments:	1. Int. No. 708 - 2/27/08, 2. Committee Report 4/21/09, 3. Hearing Transcript 4/21/09, 4. Hearing Testimony 4/21/09		

Date	Ver.	Action By	Action	Result
2/27/2008	*	City Council	Introduced by Council	
2/27/2008	*	City Council	Referred to Comm by Council	
4/21/2009	*	Committee on Consumer Affairs	Hearing Held by Committee	
4/21/2009	*	Committee on Consumer Affairs	Amendment Proposed by Comm	
4/21/2009	*	Committee on Consumer Affairs	Laid Over by Committee	
12/31/2009	A	City Council	Filed (End of Session)	

Proposed Int. No. 708-A

By Council Members Comrie, Reyna, Dilan, Fidler, Gonzalez, James, Koppell, Liu, Stewart, Gerson, Gennaro, Gentile and Sears.

A Local Law to amend the administrative code of the city of New York, in relation to rates for the towing of motor vehicles.

Be it enacted by the Council as follows:

Section1. Subdivision a of paragraph 1 of section 19-169.1, section 20-509.1, subdivisions 4 and 5 of paragraph b of section 20-518 and subdivision 1 of paragraph c of section 20-519 of the administrative code of the city of New York ARE HEREBY REPEALED.

§2. Section 20-509 of such code is amended to read as follows:

Rates. a. [Except as otherwise provided, charges] Charges for the towing of vehicles that are removed from private property pursuant to section 19-169.1of the code, the towing of passenger vehicles from arterial

roadways by arterial tow permittees authorized by the commissioner of transportation or the police commissioner, the towing of accident vehicles pursuant to section 20-518 of the code or the towing of stolen or abandoned vehicles or vehicles with certain alarm devices subject to removal pursuant to section 20-519 of the code from the place where such vehicle is parked or disabled to a storage facility or auxiliary storage facility that is authorized by the commissioner shall not exceed [fifty] one hundred eighty-five dollars [for the first mile of fraction thereof and 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 addition charge may be imposed for the towing of such vehicle.

b. If a person in charge of a vehicle, other than a police officer, requests that a vehicle be towed to a location other than an authorized storage or auxiliary storage facility, an additional charge of four dollars per mile may be charged from place where the vehicle is parked or disabled 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 where such vehicle is parked or disabled to the location to which such vehicle is towed.

c. A towing company that transfers a vehicle that is towed pursuant to section 20-519 of the code into the custody of the police department property clerk shall be entitled to charge the police department an amount not to exceed sixty dollars plus tolls for the towing of such vehicle from the towing company's approved storage facility or auxiliary storage facility the facility designated by the property clerk. A towing company shall also be entitled to charge the police department an amount not to exceed sixty dollars plus tolls for the towing of an evidence vehicle to a location designated by a police officer.

d. [Except as otherwise provided, charges] Charges for storage of a vehicle that is towed pursuant to this section shall not exceed [fifteen] twenty-five dollars for each twenty-four hours or fraction thereof for the first three days of storage, and [seventeen] thirty-five dollars for the fourth day of storage and each day thereafter, except that a towing company that tows a vehicle pursuant to section 20-519 of the code shall not

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charge the police department in excess of five dollars per day for the first three days of storage and eight dollars for the fourth day and each day therafter, 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.

e. The commissioner may, by rule, authorize such additional charges for services necessary to prepare a vehicle for towing, including but not limited to charges for additional equipment or labor necessary for positioning a vehicle for towing, which in the judgment of the commissioner shall be fair and reasonable. In promulgating a rule pursuant to this subdivision, the commissioner shall consult with the tow advisory board.

[d. (1) No tow truck operator shall require the payment of any fee or charge for towing and storage of a vehicle, or any fee or charge directly or indirectly to towing and storage of a vehicle, that is not specifically authorized by law or rule.

(2)] f. No charge for the towing and storage of vehicles may be imposed by any person who does not have a license to engage in towing as required by this subchapter at the time that the towing and storage services are performed.

LCC
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