



Legislation Text

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Res. No. 1025

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation requiring City marshals to carry credit card devices to allow drivers and vehicle owners to pay for traffic tickets to prevent their vehicles from being towed.

By Council Members Barron, Dickens, Eugene, Fidler, Gentile, James, Nelson, Rose, Vann, Williams and Halloran

Whereas, The New York City Civil Court Act authorizes the Mayor to appoint up to eighty-three City marshals to serve as enforcement officers of the Civil Court; and

Whereas, The Appellate Division of the Supreme Court is responsible for promulgating rules and regulations concerning the performance of official duties by City marshals; and

Whereas, City marshals are independent public officers whose income comes from collecting fees from the private litigants whose judgments they enforce and also from retaining five percent of any money they collect on such judgments; and

Whereas, City marshals enforce court orders related to evictions, money judgments, traffic infractions, and orders for the seizure of property; and

Whereas, If a vehicle owner has past-due traffic tickets amounting to over three hundred and fifty dollars, the New York City Department of Finance can obtain a judgment against the vehicle owner and hire a marshal to enforce it; and

Whereas, The marshal may locate and tow the car and the owner will have ten business days to pay the judgment, the tow charge, and any additional marshal's fees, in order to redeem the car; and

Whereas, Vehicles that are not redeemed within ten business days are auctioned at a regularly scheduled auction held by the City marshal's office; and

Whereas, Vehicle owners can pay City marshals at either the marshal's office or the tow yard by cash, certified check, money orders, or certain types of credit cards; and

Whereas, If a vehicle owner or driver could pay the traffic fines before the vehicle is towed by a marshal, it would prevent the owner from being without his or her vehicle and would allow the owner to avoid the additional charges associated with towing; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign legislation requiring City marshals to carry credit card devices to allow drivers and vehicle owners to pay for traffic tickets to prevent their vehicles from being towed.

JW
LS 1734
7/20/11