

RE: VIOLATION TOWING OF YOUR VEHICLES

IMPORTANT NOTICE:

The NYPD has stepped up its violation towing of vehicles and it has become apparent to us, the entire city and the press, that it is due to a quotas imposed on tow truck operators by the NYPD. If your driver sees their vehicle about to be towed (they must not refuse an opportunity to move upon an officer's request, VAT Sec. 1102) they should immediately request a release agreement that they are entitled to, pursuant to Vehicle and Traffic Law (VAT) chapter 4 section 4-08. They are lawfully entitled to this agreement in lieu of being towed. Unfortunately we have had reports of officers/operators refusing these requests, which by the way is unlawful itself, in such case, have the driver obtain the plate number of the tow vehicle, badge of the officer/agent and any other information when possible. Cell phone pictures that demonstrate the tow truck is not moving yet with your vehicle, such as with the operator outside the cab, are great evidence, even if your vehicle is on the hook. Please send any such information, along with the driver's statement, to our office as soon as any such situation should arise. That said, drivers should never engage in any conduct that could result in their arrest and under no circumstances should they ever aggressively approach any officer/agent.

One of several recent accounts in the media:

“Parking Police Keep Drivers on Their Tows

It doesn't just seem like city tow trucks are out to get you. They really are.”

<http://www.msnbc.msn.com/id/32286543/from/ET>

NYTDA is looking into these practices by the NYPD tow truck operators as they pertain to commercial vehicles in an attempt to curtail unfair and unlawful practices directed at our industry. NYTDA uses every means in our power to work with our great city for the mutual benefit of the city, our members and industry when it is reasonable. In our opinion, this is an unreasonable and possibly unlawful practice that we will pursue until it ceases.