



Jonathan Mintz
Commissioner

Senior Staff Counsel

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November 1, 2011

Re: Tow Truck Lettering

Dear Mr. [REDACTED],

I write in reply to your correspondence to Commissioner Mintz regarding required lettering on tow trucks. Your first question is whether the example of tow truck lettering provided in your letter is accurate under the law. The answer to that question is "no," as your current lettering does not comply with the law. Your second question is whether companies participating in the Directed Accident Response Program ("DARP") are required to post the rates for both towing and storage under the DARP program on the truck itself. The answer to your second question is "yes," as DARP participants' tow trucks must have lettering stating both the DARP towing and storage rates.

Pursuant to Title 6 of the Rules of the City of New York ("RCNY"), §2-362(4), a tow truck company must paint or permanently adhere the following information to the tow truck: "the Department's current complaint number, the tow truck company's name, address and telephone number, and, for any vehicle assigned to DARP, the legal rate for towing for DARP tows, specifically identified as 'Rates for accident tows, . . .'" Section §2-362(4) requires this lettering to be at least 1 ½ inches high.

The examples in your letter read as follows:

ACCIDENT RATES
TOW TO YARD \$125.00
ELSEWHERE \$125 plus \$4.00 per mile

or

ACCIDENT RATES
TOW TO OUR SHOP \$125.00
ELSEWHERE \$125 plus \$4.00 per mile

In order to be correct under the law, you must change "Accident Rates" to "Rates for accident tows." Furthermore, the Department interprets RCNY §2-362(n)(4) to require DARP participants to maintain lettering on their trucks providing both the DARP towing and storage rates. Your lettering does not include storage rate information and is therefore not in compliance with the law.

Sincerely,

[REDACTED SIGNATURE]