



The New York City
Department of
Consumer Affairs
42 Broadway
New York, NY
10004-1716

Jonathan Mintz
Commissioner

[REDACTED]
Staff Counsel

May 21, 2008

[REDACTED]

Re: DCA License Number May Be Required To Be Posted Outside Of Towing Facility

Dear Mr. [REDACTED]

I am writing in response to your inquiry as to whether a Department of Consumer Affairs ("the Department") licensed tow truck company is required to post its license number outside of the licensed premises. The answer to your question is that it depends on the manner in which the company transacts business.

According to New York City Administrative Code ("Code") Title 20, Chapter 2, Subchapter 31, §20-507(a),

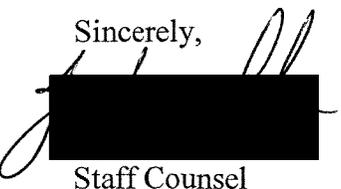
Every person holding a license to engage in towing shall post, in a conspicuous fashion at the area of the licensee's place of business where a vehicle may be claimed, a sign which clearly and legibly states the licensee's name, address and business telephone number, the license number assigned to such business, the rates permitted to be charged for towing and storage under section 20-509 of this subchapter and the department's telephone complaint number.

The Department interprets this section to require all licensed tow companies to post, in a conspicuous fashion, all of the required information in the same location where the licensee regularly conducts business transactions. The Department defines the place where the licensee regularly conducts business transactions as the place where the consumer pays money to the vendor in order for the consumer to claim his or her vehicle. Therefore, if the consumer pays for the vendor's services outside of the vendor's office (e.g. the consumer stands outside and pays the representative from the business through a window), the sign complying with §20-507(a) must be posted in a conspicuous fashion outside of the office where it is in full view of the consumer. If the consumer pays the vendor for its services inside the vendor's office, the sign

complying with §20-507(a) should be posted in a conspicuous fashion inside the office where it is in full view of the consumer.

If you have any other questions, please do not hesitate to contact me.

Sincerely,



[Redacted Signature]

Staff Counsel