

NEW YORK CITY
DEPARTMENT OF CONSUMER AND WORKER PROTECTION

Proposed Rules to Amend Subchapter EE of Chapter 2 of
Title 6 of the Rules of the City of New York Relating to
the Towing Industry

Teleconference
October 31, 2022

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1 MR. CHARLIE DRIVER: Alright. We'll get
2 started. Good morning, all. My name is Charlie
3 Driver. I've been designated, designated as the
4 Hearing Officer for this public hearing of the
5 Department of Consumer and Worker Protection on
6 Proposed Rules to Amend Subchapter EE of Chapter 2 of
7 Title 6 of the Rules of the City of New York Relating
8 to the Towing Industry. This hearing is being held by
9 teleconference call. It is now 11:03 a.m. on Monday,
10 October 31, 2022. And, I am hereby convening the
11 public hearing on this proposed rule.

12 This proposed rule was published in the City
13 record on September 30, 2022. The published notice
14 and rules are available online on the New York City
15 rules website and the Department's website. The
16 Department is proposing these rules pursuant to the
17 authority vested in the Commissioner of the Department
18 of Consumer and Worker Protection by Sections 1043 and
19 2203(f) of the New York City Charter and Section 20-
20 525 of the New York City Administrative Code.

21 This hearing affords the public the
22 opportunity to comment on all, all aspects of the
23 rules the Department has proposed. The Department has
24 proposed these rules -- excuse me -- the Department
25 will carefully review all testimony and written

1 comments received at this hearing and we'll give due
2 weight and consideration to proposals and
3 recommendations that are submitted to the record at
4 this hearing.

5 A few ground rules before we get started.
6 Please make sure that you are on mute, so long as you
7 are not talking. Anyone who's offering oral testimony
8 will have three minutes to give their remarks. I will
9 not cut you off exactly at three minutes, but, you
10 know, I ask that you do try to stick to the three-
11 minute mark. I'll give you a warning when you're
12 running out of time and when you run out of time. If
13 you have remarks that are going to take longer than
14 three minutes, you can submit those remarks as written
15 testimony.

16 I'll put the e-mail address for the
17 Department in the chat. You can also post any rules
18 online at the NYC rules website. I can also put a
19 link to that in the chat, as well. We're accepting
20 written testimony on these rules through the end of
21 the day, so by 11:59 p.m. tonight, you'll need to get
22 that into us before we begin to review the comments
23 that we've received.

24 If there's no other questions, we can get
25 started. Here, again, please, please message me in

1 the chat if you would like to give testimony and you
2 haven't already indicated that you would like to do
3 so.

4 Alright, we'll get this started. Joseph
5 Robles, whenever, whenever you're ready, you'll have
6 three minutes.

7 MR. JOSEPH ROBLES: Thank you very much. My
8 name is Joseph K. Robles. I am the President of
9 Knights Collision Experts of Brooklyn, which is
10 celebrating its 75th year in business next year. We
11 hold arterial highway permits on the LIE, Van Wyck,
12 BQE, Clearview and Grand Central highways. We
13 participate in the DARP program in the 73rd, 75th and
14 83rd precincts. We also participate in a ROTOW
15 program on the arterial highways in the 83rd precinct,
16 but not in the 73rd or 75th precincts.

17 I'm currently treasurer of the Empire State
18 Towing and Recovery Association and have served as its
19 New York City Regional Vice President for several
20 years prior thereto.

21 The Department has been placed in the
22 unenviable position of trying to resolve a problem
23 that is caused by the existence of an unprecedented
24 number of derelict vehicles on our city streets and
25 police pounds that are unable to accommodate them.

1 This creates a quality of life issue that is not only
2 unpleasant to look at, but also one that affects the
3 health and safety of our residents. Unfortunately,
4 requiring DARP participants to handle ROTOWs will only
5 exas- exasperate the problem, not cure it.

6 Capacity is a key work. As is the case with
7 the police pounds, compliance with complex ROTOW
8 protocols will cause DARP lots to fill, which will
9 render DARP participants unable to engage in any
10 towing at all.

11 I've been advised by legal counsel that
12 ROTOW may be the only tolling program in the country
13 that has a tow retainer vehicle, in this case, up to
14 30 days and then turn it over to a municipality for
15 final disposition. Other laws dealing with the
16 treatment of derelict vehicles either require them to
17 be towed directly to a pound where the locality
18 assumes responsibility for their disposition or remain
19 with the tower who assumes this responsibility. ROTOW
20 is a hybrid of these laws that's unique to New York
21 City. And, it's clearly not working.

22 In all cases, except for ROTOW, for example,
23 private tolls, arterial highway, DARP, illegal
24 parking, driveway removals. I am responsible for
25 providing notices of motorists and lienholders and the

1 disposition of the vehicles in accordance with Article
2 9 of the New York State Lane Law. The procedure that
3 I'm required to follow provide for timely, provide for
4 more timely and effective notice to vehicle owners,
5 lienholders, and greater protections to consumers that
6 are provided under ROTOW. Of utmost to the, of
7 utmost most importance to the City, the vehicles in
8 question will never see the inside of a city pounds.

9 Most of the other provisions of the proposed
10 regulations are not objectable because they consist of
11 such technical matters as deleting duplicative or
12 repealed provisions of the law. However, the proposed
13 amendment to Section 2-368, paragraph C, that seeks to
14 limit the charge for returning a vehicle to the place
15 where was towed, where it was towed from to \$100 is
16 objectionable. And it is a consensual tow that is not
17 able to be regulated by the City. The creation of a
18 penalty in the amount of \$1875 for failure to display
19 a credit card decal on a tow truck is objectionable
20 because it is excessive.

21 I, therefore, ask that these provisions be
22 deleted and the requirements that DARP participants be
23 required to accept ROTOWs be deleted. If the
24 Department rejects my request to dispose of the
25 derelict vehicles under the legal.

1 In closing, I would like to formally request
2 the Department meet with the industry elected
3 representatives from the Empire State Towing
4 Association to further address the wave of unlicensed
5 towing activity causing a state of lawless-
6 lawlessness on the C-, on the streets of the City of
7 New York. Specifically, the pirate underground tow
8 industry that skirts all of the New York City rules
9 and regulations with out-of-state plates, phony
10 plates, and unsolicited response to accidents that
11 severely hinders a viable DARP program from existing
12 and fuels a plethora of insurance fraud scams. Thank
13 you for your consideration in this matter.

14 H.O. DRIVER: Thank you for those comments.
15 Joseph, I, I responded to your e-mail shortly before
16 the hearing, but I didn't receive the, the copy that
17 you sent or you were trying to send of your comments.
18 If you could just send me that when you have a chance
19 that would be appreciated.

20 MR. ROBLES: Yeah.

21 H.O. DRIVER: At this time, I have no other
22 people signed up specifically to testify at today's
23 hearing. Is there anyone else on this call currently
24 who would like to testify? Feel free to send me a
25 message in the chat letting me know, and, and you can

1 have three minutes to give your remarks.

2 MR. MIKE GORDON: I'm actually trying to get
3 onto the chat, but unfortunately.

4 H.O. DRIVER: Oh, is it, I closed it.

5 MR. GORDON: It's not working for me.

6 H.O. DRIVER: Is it not open?

7 MR. GORDON: Yeah, it gave me a little bit
8 of --

9 H.O. DRIVER: Oh, okay. I think, I think
10 now it should work. But, Mike, are you looking to
11 testify I assume?

12 MR. GORDON: Yeah, just for a, just, just a
13 short --

14 H.O. DRIVER: Sure.

15 MR. GORDON: Joe pretty much summed it up,
16 but I'd also like to tell you that I am not a
17 participant in any of those programs. But, I am in
18 the towing industry for well over 30 years and have
19 been, and have been a participant in every program.
20 And I could tell you right now that there are towers
21 out there that are involved in the rotation tow
22 program who will just pick up abandoned vehicles. And
23 I can state two or three right now that are holding in
24 excess of 250 vehicles in their, in their facility,
25 cannot deliver those vehicles 'cause the pound, the

1 New York City police pound will only accept two
2 vehicles per day.

3 In one particular instance is a, a vendor in
4 Staten Island that tries to go to the pound. It takes
5 him about two and a half-plus hours to get one way.
6 Gets there. Unfortunately, sometimes there's a line
7 at that pound, and gets turned around with his two
8 cars to go back 'cause he can't deliver them and ends
9 up spending every every bit of six to eight hours and
10 not be able to deliver those cars. He now has over
11 250 vehicles in his lot and doesn't know what to do
12 with them. These lots, as you know, these days are
13 very expensive. It's causing him to actually stop
14 participating in the program. And, this will just get
15 worse if matters are not handled.

16 And I agree 100 percent that the industry
17 can be a helpful hand here with the DCWP, and if given
18 an option, given an opportunity -- excuse me -- to
19 participate and help, we would love to do that, in all
20 aspects of the towing industry.

21 And, I, I also agree with the excessive
22 fines that are trying to be levied on the tow
23 industry. They're being levied against good, licensed
24 to operators where there are tremendous amount of
25 illegal tow trucks out, out in the streets these days.

1 And that should be more addressed.

2 In other agencies in the City, apartment
3 buildings, Fire Department, when there's a violation
4 that occurs, the violator is given an opportunity to
5 clear that up, to clear that violation with a certain
6 reasonable amount of time. And, if he does so, then
7 he's done, and he corrected it. If he doesn't then,
8 obviously, he faces a fine. I don't understand why
9 Department of Consumer and Worker Protection doesn't
10 adopt the same type of system that other agencies in
11 City do have. That's all for me. Thank you.

12 H.O. DRIVER: Great. Thank you for those
13 comments. Anyone else, please? The chat is now open.
14 Apologies for me not, you know, having that activated
15 earlier. It doesn't indicate that to me on my end.
16 But, if you'd like to testify, please let me know.
17 You can either put it in a chat or, you know, feel
18 free to, feel free to unmute. It's a small enough
19 group that we can do that.

20 Hi, Michael, I see you've unmuted. Are you
21 looking to testify? Okay. Three minutes whenever
22 you're ready.

23 MICHAEL: Okay. Hold on one second.
24 [Unintelligible] [00:13:45]. It is a technical day.
25 Okay. Sorry about that.

1 H.O. DRIVER: Sure. Whenever you're ready.

2 MICHAEL: I've been in the tow industry for
3 over 20 years. We were on ROTOW for over a decade.
4 Last year, we voluntarily took ourselves off because
5 of financial reasons. Like the other gentleman said,
6 you can only bring two cars a day to the pound, which
7 I don't see that in any rules that states that. And,
8 the precinct sometimes calls you for ten cars a day.
9 Space is a major issue and I see in, in the new
10 proposal that you want to lower the square footage.

11 We couldn't do it with the, with the proper
12 square footage. It's, you know, forcing DARP
13 participants to go on ROTOW is really not going to
14 help the situation at all. It's actually going to
15 make it worse 'cause guys that are on DARP that, that
16 can maintain it that are now forced to go on ROTOW are
17 going come off top and and the whole program is going
18 to implode.

19 Like I said, we we were on for, for many
20 years and voluntarily we took ourselves off. So, and
21 then, from what I understand when I'm reading, it's a
22 little confusing, but they they only allow \$100 on a
23 consensual tow on tow out. That's, you know, at the,
24 at the ROTOW rates of 125, it's, it's, it's not
25 working, let alone charging 100. Who knows where that

1 car's even going? It could be going, you know, from
2 Queens to the Bronx. You got 34 just in tolls.

3 With that being said, it just, it's, it's
4 really not working for the industry with the, with the
5 rates that are, you know, since the last DARP
6 increase, my insurance went up over 500 percent since
7 the last increase of, of, of DARP from 80 to 125,
8 which I believe that was like 2002. And, that's
9 basically it.

10 It's just, it's just the financial burden
11 with, with the rates in the program. And now, to go
12 back on ROTOW would, would just, it would not be
13 profitable for, for anybody. So, that's something you
14 guys have to consider and also consider raising DARP
15 rates 'cause, like I said, my insurance went up 500
16 percent with proof. So, you know, that's, that's
17 basically, you know, all I really have to say. But,
18 that's where we're at with this.

19 H.O. DRIVER: Great. Thank you for those
20 comments. Anyone else looking to comment as part of
21 this hearing?

22 UNIDENTIFIED MALE 1: Yes, I work for
23 Councilmember Paladino.

24 H.O. DRIVER: Sure.

25 UNIDENTIFIED MALE 1: And I'm, I'm new to

1 this. So, I'm, I'm trying to kind of get my bearings.
2 Could you just give me an overview of the DARP program
3 and the ROTOW program and what it is that you're
4 trying to accomplish in these hearings?

5 H.O. DRIVER: Sure. So, I can't give you an
6 overview of that because this hearing, this hearing is
7 part of a comment process. So, we, you know, receive
8 comments from, from stakeholders affected by a given
9 proposed rule. And this is a space for them to share
10 their comments. It's not really a space for
11 conversation, just in the way that it's set up. And,
12 I personally don't have, you know, familiarity with
13 both DARP and ROTOW to really speak to that. You feel
14 free to reach out to us if you'd like to learn more.
15 Happy to try and, you know, explain that that way.
16 But, that, this hearing and this Zoom call isn't
17 really the forum for that I'm afraid.

18 UNIDENTIFIED MALE 1: No, no worries. Could
19 you then just give me an overview of what you are
20 holding a hearing on? What is the rule that you're
21 holding the hearing on?

22 H.O. DRIVER: Sure. I can only, I can only
23 share, you know, I, I can't speak to the substance of
24 the proposed rules. I can refer you to the notice of
25 hearing. That's just within the constraints of the

1 process that we have.

2 UNIDENTIFIED MALE 1: Very good. Thank you.
3 I appreciate your help.

4 H.O. DRIVER: Yep. No problem. Sorry, I
5 can't be more helpful. Anyone else looking to
6 testify?

7 Alright. Seems like at this, at this point
8 in time, we don't have anyone else looking to testify
9 at this hearing. This hearing will remain open until
10 noon. Oh, excuse me. Okay, that's a clapping emoji.

11 This hearing will remain open until noon in
12 case anyone does want to give testimony- testimony.
13 Okay. Joseph, do you want to, can you unmute
14 yourself? Are you looking to testify?

15 JOSEPH: Yes.

16 H.O. DRIVER: Okay. Yeah. Whenever you're
17 ready, three minutes.

18 JOSEPH: Good morning, everybody. So, I
19 just wanted to give more of a boots on the ground
20 perspective with regards to ROTOW. I, I know Mike
21 Gordon spoke briefly about an issue with Staten Island
22 in specific. We are currently the only ROTOW vendor
23 left within the borough of Staten Island servicing
24 four entire precincts. I just want to give you an
25 overview of what an average week would look like and

1 to give a little more, a little more background as to
2 how and why it is so difficult to get rid of these
3 vehicles.

4 So, on any given week, we average -- and
5 this is without any special operations with this new
6 fake plate initiative, which I'm sure everybody is
7 seeing in the media -- we, we can average anywhere
8 from 25 to 30 and upwards in, in one of these
9 operations, another 30 in excess of that. So, some
10 weeks, 60 vehicles in intake. Right? So, just quick,
11 quick numbers. So, we're only allowed to bring two
12 vehicles to the pound, which, again, is located in
13 Springfield Gardens. And, as Mike said, could take
14 two, two and a half hours with non-, with commercial
15 routes and whatnot. There is never going to be an end
16 point as to getting rid of these vehicles. So, this
17 is, this is the help we're kind of, we're looking for.
18 We're, we're there. We work hand in hand with PD and
19 all these other agencies and we're just looking for a
20 little, you know, a give and a take care because there
21 is absolutely no way that this, this plague of cars,
22 this junk cars and derelict cars are going to end.

23 A major, another major issue with these,
24 these vehicles are the derelict vehicle situation and
25 then the ROTOW situation. So, there is a program ran

1 by the Department of Sanitation, the Derelict Vehicle
2 Operations Unit, which is located out in Brooklyn.
3 They are responsible to both tag and remove these
4 vehicles that meet the criteria. The problem we are
5 having is there is no transparency between agencies.
6 We, we have no go-to to, to explain or, you know, to,
7 to meet with to actually explain what, what we're
8 dealing with, which I think this is kind of our cry
9 for help here. We're looking for a platform in order
10 to, to speak to these, these people. I don't want to
11 be bumping heads with NYPD. And I don't want it to be
12 taken personally when we, we show up to a vehicle that
13 doesn't meet the criteria. And, in turn, we now look
14 as if we are just giving, you know, going against the
15 grain. And that's not the case. We just have no
16 means of, of getting rid of these vehicles. So, we're
17 trying, we have to limit it to whatever vehicle meets
18 the criteria. And, again, we have no problem picking
19 up those vehicles and helping. But, it's coming, it's
20 gotten to a point where we, we're last man standing
21 and we have no help. So, you know, this is kind of
22 our cry for help here. We need, you know, we've
23 spoken, we've spoken to some of the elected officials
24 and, and here's where we're at. And, I just, you
25 know, I, I, I plead to the DCWP that, you know,

1 there's something we can do here and maybe some sort,
2 line of communication we can, you know, we can open up
3 here. And that's basically it. I, I appreciate your
4 time.

5 H.O. DRIVER: Great. Thank you for those
6 comments. Anyone else please let me know if you're
7 looking to testify. Eddy, you unmuted. Are you
8 looking to offer testimony?

9 MR. EDDY FULK: Yeah, yeah I'm looking to
10 just give a couple of words in.

11 H.O. DRIVER: Sure. Whenever you're ready,
12 three minutes.

13 MR. FULK: Sure, no problem. My name is
14 Eddy Fulk. I'm a manager at B&M Towing. We are a
15 participant in the DARP program and also a participant
16 in the ROTOW program. And, like everybody said about
17 space, what would help was definitely giving us
18 probably the, the resources or the authority to, if a
19 car is junk or derelict, after a certain amount of
20 years and the certain amount of shape, we should have
21 the ability to send out the legal notices or legal
22 route to dispose of these vehicles that are going to
23 be disposed of anyway. That would save time. As far
24 as bringing cars to the pound like the, like another
25 person said, you know, it's basically an all-day thing

1 even if you're able to bring them there.

2 Another issue that has is, you know, you go
3 to the pound like the guy from St. Augustine got all
4 the way there and he's online and you're, you're, it's
5 done. You know, you passed the time and you got to go
6 back. That's a problem. Another problem is police
7 officers. Police officers in the precincts, they're,
8 they're changing, and each, and the police officer, in
9 the precincts that handle the invoices and the
10 paperwork involved in ROTOWs, they, they change, like,
11 you know, they change very often. And there, you
12 know, sometimes you get paperwork to go to the pound.
13 You know, you're begging for paperwork, getting your
14 paperwork and finally get it and the paperwork's
15 wrong. You bring, you know, the VIN number might be
16 off by a digit. They might have a letter off of which
17 pound to go to or whatever the situation is. And
18 then, when you get to the pound, they're rejecting the
19 load or rejecting the car because of a little glitch
20 that was done by the NYPD. Now, all of a sudden,
21 you're turning around, just wasting time like that.
22 That's one.

23 Two, same thing. Say we're picking up 10,20
24 cars a day, and you, you're only allowed to bring two
25 a day to the pounds. You're, you're, by law, by --

1 but what they say is you can only hold the car for 30
2 days, no longer. If you bring it to 30 days no
3 longer, you're subject to a fine. Me, the company I
4 work for, the company I managed, we got five LD6s for
5 bringing cars there more than 30 days. All in one
6 shot. Boom. Can't do a hearing with you guys. We
7 see one of your representatives come out before the
8 judge, we're going to fight it because hey, you just
9 do the math. Just say on a light day, we're picking
10 up 10 cars a day. Owners, car's legit, picks up, two
11 of those ten cars a day. What are we, what are we
12 doing with the eight cars a day that we picked up and
13 has to be by the pound within 30 days, but we're only
14 allowed to bring two a day?

15 So, what happened in our hearing, when we
16 went to you guys, was the guy came out and talked to
17 us and said, you know, the judge, administrative judge
18 is going to look at this black and white. You could
19 go in there and fight, but the judge is going to go on
20 by black and white. So, black and white says you
21 picked up the car on this day and you brought these
22 cars to the pound on this day. It's over 30 days.
23 Good luck. You can either, we'll make a deal here and
24 just pay this amount of fines and make it go away and
25 this and that, or we can walk into the courtroom and

1 you're going to be found guilty on all six vehicles
2 because it's in black and white. And then, you can go
3 from there. And, that's what happened. We pled
4 guilty to something that wasn't in our hands that we
5 couldn't physically possibly do 'cause we're trying to
6 do the right thing and pick up the vehicles because we
7 do have space to store vehicles, which we don't have
8 anymore. But, it's basically the same problems, you
9 know. And, you guys, it's, it's, it's not worth the
10 money anymore. You know, it's, it's, everything you
11 guys proposed and what you guys are proposing, I
12 would, I would beg to differ with everything. You
13 know, you're, you're offering one truck to go on DARP
14 and, and look, you know, make the the storage space
15 and the, and the space allowed to get on this program.
16 But you have to do ROTOW. How could you pos-, you --
17 guys that just do DARP don't have enough room. You
18 know, there's just no room in the City. You know, you
19 guys changed the zoning, dead storage of cars, Group
20 16 only. So, it's kind of even harder to get space
21 that's legal and up to code with you guys.

22 These other guys, you know, you're low on
23 space, that means someone who's got a little space on
24 a gas station that has -- what is it 1600 feet you're
25 proposing -- and then make a fence so you can get on

1 DARP. Yeah, okay. Now, you have to do ROTOW. So,
2 what's going to, what do you think going to happen if
3 someone is on DARP and forced to do ROTOW? And, if
4 they don't do ROTOW, you're going to be kicked off of
5 both programs. Either, A, they're just going to take
6 themselves off completely and you're going to have
7 crash cars laying all over the street and no one's
8 picking those up. B, they're going to do the ROTOWs
9 and where are the ROTOWs going to go if they don't
10 have room? Back on the street because they're going
11 to have to put them on the street. And then what
12 happens? They're going to get fined. They're going
13 to get 311 complaints. And, those ROTOWs or DARPs
14 that they're leaving on the street could possibly RO-,
15 be ROTOW'd again. And then, it turns into just a --

16 H.O. DRIVER: Alright. Eddy, can you just
17 wrap up just in terms of the time limit?

18 MR. FULK: Yep.

19 H.O. DRIVER: Sorry.

20 MR. FULK: No problem. Yep, I'm done.

21 H.O. DRIVER: Alright. Appreciate that.

22 Sorry to cut you off. Just want to keep, you know,
23 everyone's time similar.

24 MR. FULK: Okay.

25 H.O. DRIVER: Carl, you have your hand

1 raised.

2 CARL: Yes. Good morning, everyone.

3 Just -- I'm not a owner or anything. I just, like, I
4 enjoy coming to these, these zooms 'cause it's very
5 interesting. But, as I'm thinking about, as I'm
6 thinking about what everyone is saying from the people
7 I've just listened to. Is, would, maybe one of the
8 solutions that came to mind, would the City be willing
9 to, I guess, assist financially for all the owners to
10 construct elevated parking situations? You know, like
11 in Manhattan, where they have cars on top of cars on
12 top of cars, like, create a structure, like, everyone
13 create a structure that now they could have a little
14 bit more space. That's one idea.

15 Two, have land. I know the City has a lot
16 of lands, you know, like certain places there's just
17 massive land just sitting there. Or allow these
18 owners to park the cars there, that, that own these
19 shops and everyone that needs space, allow them to
20 park there and, and, and park all these cars so that
21 this way they have space to put it for the moment.
22 That's just something that came to mind. I just
23 wanted -- I don't know what, what, the logistics is
24 like that, about that, but that's just something that
25 came to mind. I don't know if that's possible or

1 feasible. But, hey, it's a thought that came to mind.
2 But, I appreciate you giving me time time to talk.

3 H.O. DRIVER: Great, Carl. Thanks for,
4 thanks for sharing that. I appreciate it. Anyone
5 else looking to testify at this moment?

6 MR. GORDON: I just would like to say one
7 last thing. I know I testified already briefly.

8 H.O. DRIVER: Sure.

9 MR. GORDON: But, I would just like to make
10 a recommendation. And, my recommendation is that this
11 proposed changes be tabled temporarily until maybe the
12 people who are writing these regulations have an
13 opportunity to speak with people in the towing
14 industry, maybe a small group. And, we could maybe
15 assist each other to get to the place where everyone
16 needs to be. So, my recommendation, at this point in
17 time, is to table this and try to make something out
18 of this that will work both for the City, for the
19 residents, for safety purposes, and for the industry.
20 And, all work together to accomplish that. Thank you.

21 H.O. DRIVER: Great, thank you. Anyone
22 else? Alicia?

23 ALICIA: Yes. Hi. My name is Alicia from
24 Councilmember Holden's office. How are you today?
25 So, you know, be, I, I used to be in the business

1 many, many, many years ago. But, like, is there any
2 way in the Councilmember if we can increase their
3 towing rates somewhat, but also we have to take into
4 consideration getting -- I mean, they need more space.
5 I mean, we can't allow them to be parked all over the
6 street. That, to me, around here in, in the
7 councilmember's district, a lot of the body shops, tow
8 companies, they do leave their cars out in the street.
9 So, that's concerning to us and it takes up parking
10 from our residents. So, you know, we're looking into,
11 you know, I see on one it says decreasing storage. We
12 need to increase their storage. They need to store
13 these vehicles somewhere off the streets so the people
14 in the community can park. Maybe, if we increase
15 their towing fees, they're able to do so. So, you
16 know, we want them to have bigger space, but we also
17 need to help them and increase their towing rates. If
18 that's a possibility, that would be great. I'm also,
19 you know, the, taking photos before and after of the
20 cars that are being towed, that, that's very helpful.
21 That really needs to happen at all times.

22 Other than that, I think we're good. But,
23 you know, the most important is they need to increase
24 the space. That's a concern of ours for the
25 community. That's all I have.

1 H.O. DRIVER: Great. Thank you so much.
2 Anyone else looking to testify? Okay. There's no one
3 else right now. Again, this Zoom will remain open
4 until noon in case anyone else comes to offer
5 testimony or anyone else, you know, indicates that
6 they'd like to speak. Again, let me reshare the links
7 to where you can submit written testimony.

8 You know, if you weren't able to get all
9 your thoughts in, or if you have, you know other
10 things to share.

11 MR. FULK: Commissioner?

12 H.O. DRIVER: Yep.

13 MR. FULK: May I, may I speak here one more
14 time?

15 H.O. DRIVER: As a comment, I'm afraid not.

16 MR. FULK: Yes. Okay.

17 H.O. DRIVER: Just, we have this time
18 constraint. But again, for written testimony there's
19 no, there's no length limit.

20 MR. FULK: Okay. But, okay, because if
21 there was council people on this meeting, I think
22 those council people should try and reach out to other
23 council people other boroughs to let them know what's
24 going on with this meeting, too. And they should be
25 able to put a written in thing, too. To help out,

1 like, like the old gentleman said, to put it on the
2 table for now, until we could all work this out.

3 H.O. DRIVER: Great. Thanks, thank you,
4 Eddy. Okay. So, we're going to, I'm going to turn my
5 camera and go on mute, off, and go on mute until, you
6 know, someone else appears to offer testimony or
7 anyone else looks to offer testimony. If you need to
8 get in touch with me, feel free to unmute or just,
9 just send me a message in the chat. At noon, we will
10 end this hearing. Thank you again for everyone who's
11 offered testimony so far. Appreciate, you know, your
12 participation in this process. And, again, feel free
13 to submit written testimony of any length, either to
14 our e-mail rulecomments@dcwp.nyc.gov, which is in the
15 chat. Or also the Rules NYC website, which is also
16 linked in the chat. Thank you so much.

17 Hi, Richie. Thanks for joining. Just want
18 to check, are you looking to testify in this hearing
19 or you just listening in? Hi, Richie, can you -- oh,
20 he's connecting to audio.

21 Hi, Richie. Thanks for joining the hearing.
22 Are you looking to testify today or are you just
23 listening in?

24 Hello. We're going to wrap this, this
25 hearing up now. No one else has come to testify.

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Again, you know, if you're looking to submit written comments, please do so. The information is in the chat.

Thank you for taking the time to attend this hearing and for those of you who testified, thank you for testifying. We appreciate your participation in this process. And, feel free to reach out if you have any other, any other comments to submit. Have a good day. Happy Halloween.

CERTIFICATE OF ACCURACY

I, Maricarmen Betancourt, certify that the foregoing transcript of Proposed Rules to Amend Subchapter EE of Chapter 2 of Title 6 of the Rules of the City of New York Relating to the Towing Industry on October 31, 2022 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: December 7, 2022

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