

Do you operate a tow truck company that moves or removes disabled, illegally parked, or abandoned motor vehicles or vehicles involved in accidents by another motor vehicle for direct or indirect compensation?

Do you drive a tow truck to do the towing described above?

Definition: Directed Accident Towing Program **(DARP)** is the tow of vehicles that have been involved in an accident and can't be driven safely under their own power.

Definition: Rotation Tow Program (ROTOW) is the tow of stolen or abandoned vehicles that have been recovered.

Note: A business may apply to participate in DARP and ROTOW after holding a Tow Truck Company license for more than one year.

Use this checklist to learn what our inspectors look for and help avoid violations. All businesses also must comply with the General Retail Inspection Checklist, which is included at the end for easy reference.

For your convenience, each Requirement includes the relevant section of law and/or rule, so you can refer to it for more information. The KEY below describes the legal citations and symbols used in this checklist.

KEY
NYC Code: NYC Administrative Code
RCNY: Rules of the City of New York
VTL: NY Vehicle Traffic Law
§: Section
§§: Sections

Requirements for all Tow Truck Companies:

·		Do you meet this requirement?
Licen	ses	
1	Any company that tows a vehicle in New York City without the owner's prior consent from private property or as part of the DARP or ROTOW programs must have a valid DCWP Tow Truck Company license. Any person operating a tow truck while engaged in the described towing must have a valid DCWP Tow Truck Driver license.	☐ Yes
	NYC Code §20-496(a)-(b)	
2	DCWP's combined license and complaint sign must be posted where all customers can see it.	☐ Yes
	6 RCNY §1-03(a)	
3	The business phone number that you list on your DCWP license application must be working at your business premises.	☐ Yes
	NYC Code §§20-518(a)(3), 20-518(c-1) (1), 20-519(a)(3)	
4	Your business must accept credit card payments.	☐ Yes
	Tip: DARP and ROTOW participants must accept at least two major credit cards (MasterCard, Visa, American Express, or Discover).	
	NYC Code §§20-527, 20-520.1(b)	

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Requirement		Do you meet this requirement?
Signs		
5	An information sign must be clearly displayed where payment is made and list all of the	☐ Yes
	following:	
	Business name, address, and telephone number	
	DCWP license number	
	DCWP's complaint telephone number (311)	
	NYC Code §20-507(a)	
Reco	rds	
6	You must maintain the following records if you tow from private parking lots:	☐ Yes
	Authorization to tow from private parking lots	
	Trip records	
	Receipts for car removal and storage costs	
	Contracts to tow from private property	
	Tip: The records must be maintained in electronic format for 3 years and be available	
	for inspection.	
	6 RCNY §2-378(e)(1)-(3)	1
Truck	Requirements	•
7	The Vehicle Identification Number (VIN) on the insurance document must match the VIN on	☐ Yes
	the registration.	
	6 RCNY §2-362(k)	-
8	The truck must have valid tow truck plates from the Department of Motor Vehicles.	☐ Yes
	NYC Code §20-501(a)	1
9	The Gross Vehicle Weight Rating (GVWR) must be 8,600 pounds or heavier.	☐ Yes
	VTL §401-b	
10	If the vehicle is registered over 10,000 pounds, there must be a valid NYC Department of	☐ Yes
	Finance Motor Vehicle Tax stamp. If the vehicle is registered as over 18,000 pounds, there	
	must be a valid Department of Motor Vehicles heavy duty sticker on it.	
	NYC Code §11-809]

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Requ	irement	Do you meet this requirement?
11	The following information* must be clearly painted on both sides of the truck(s):	☐ Yes
	 Company name, address, and telephone number 	
	 DCWP's complaint telephone number (311) 	
	Tip: The letters must be at least 1 ½ inches tall and ¼ inch wide.	
	Tip: The lettering must be easily visible when the truck is in motion and in a contrasting color to the background.	
	You must securely attach to the truck(s) the DCWP-issued license plate (medallion). You can't use a magnet for this purpose. In addition, the DCWP-issued medallion number must be clearly painted or securely attached on both sides of the truck(s).	
	Tip: The numerals must be at least 12 inches tall. In the case of a flatbed vehicle, the numerals must be at least 6 inches tall.	
	*DARP participants must also include the legal rate for DARP tows on the decals, specifically identified as "Rates for accident tows." This must be clearly painted on or permanently adhered as a decal by heat treatment on the tow truck(s) in letters at least 1 $\frac{1}{2}$ inches tall and at least $\frac{1}{4}$ inch wide.	
	*DARP and ROTOW participants must have decals indicating the major credit cards that are accepted placed right above or below the rates or the company's name on the truck.	
	Tip: Decals must be at least 3 and 3/16 inches wide by 2 inches tall.	
	Tip: The decals can't be a magnet.	
	NYC Code §20-507(b)	
12	The medallion number on the tow truck must be at least 12 inches tall and, if the vehicle is a flatbed, the medallion number must be at least 6 inches tall.	☐ Yes
	6 RCNY §2-362(n)(2)	
13	The winch, crane, or wheel lift must be operational and the amber lights of the truck must be removable and operational.	☐ Yes
	VTL §375 (27)	
14	DARP and ROTOW participants must have at least two tow trucks.	☐ Yes
	Tip: For DARP participants, one of the tow trucks must be a flatbed.	
	Tip: ROTOW participants must have equipment to tow vehicles that have damaged or missing wheels.	
	6 RCNY §2-371(k) or 6 RCNY §2-372(g)-(h)	
15	Trucks must have a current New York State Inspection Sticker attached to the windshield.	☐ Yes
	NYC Code §20-501(a)	

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Requirements for DARP and ROTOW participants:

Requirement		Do you meet this requirement?
Book	s and Records	
16	An electronic record of every invoice, tow authorization, and all DARP and ROTOW calls must be kept for 3 years and the records must be available for inspection. The record book must contain all of the following: • Date and time the call was received from NYPD • Disposition: whether the tow was accepted or refused • Name of the person who accepted the call • If refused, the reason why the request was refused • If accepted, the location from where the vehicle was towed • Location to where the vehicle was towed • Time the towing was completed • Tow and storage fees • Total cost • Redemption date • Payment method: whether the consumer paid fees by credit card or not • Vehicle disposition	☐ Yes
	ROTOW participants must also record: • Name and rank of the NYPD officer who authorized the tow • Precinct voucher number • Precinct number 6 RCNY §2-371(u) or 6 RCNY § 2-372(o)	
Stora	ge Facility	
17	Consumers must be able to pick up their vehicle between 9 a.m. and 4 p.m. Monday through Friday and either Saturday or Sunday. 6 RCNY §2-371(v) or 6 RCNY § 2-372(p)	☐ Yes
18	The storage facility must be indoors or a lighted, fenced-in outdoor facility with a locked gate. 6 RCNY §2-371(m) or 6 RCNY §2-372(i)	☐ Yes
19	DARP participants must make available to the public a bathroom and telephone. NYC Code §20-518(c-1)(1)	☐ Yes
20	If you also maintain an auxiliary lot, it must be within 2,640 feet (1/2 mile) of the licensed facility, and it must be indoors or a lighted, fenced-in outdoor facility with a locked gate. 6 RCNY §2-371(n) or 6 RCNY §2-372(i)	☐ Yes
21	The total area of the storage facility and auxiliary lot must be at least: • 2,400 square feet for DARP participants • 1,600 square feet for ROTOW participants • 4,000 square feet for participants of both DARP and ROTOW 6 RCNY §2-371(m) or 6 RCNY §2-372(i)	☐ Yes

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Requ	Requirement	
22	Two tow companies can't share the same space. If a tow company is sharing space with another type of business, the businesses must be separated by a physical separation, such as a fence.	☐ Yes
Auth	6 RCNY §2-371(m) and (n) or 6 RCNY §2-372(i) prization Forms	
23	An authorization to tow form is required for every tow, and it must contain all of the following: Business name, address, telephone number DCWP license number Name, address, and telephone number of person in charge of the vehicle, the vehicle owner or name and badge number of police officer who authorized the tow Date and time vehicle is towed Make, model, year, and license plate number of the vehicle towed Tow truck operator's name and DCWP license number Tow truck's license plate number and DCWP plate number Address where the vehicle was towed from and to Distance of tow Itemized list of all fees charged	☐ Yes

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	☐ Yes
Bold 12 point font at the top of the document	
Bold 12 point font with enough space below it to fill in a location	
Bold at least 12 point font above the signature portion of the document	
Bold 12 point font and placed immediately after the "Notice to the Consumer" statement	
This must be placed immediately below the signature line	
This statement must be placed at the bottom of the page	
	Bold 12 point font with enough space below it to fill in a location Bold at least 12 point font above the signature portion of the document Bold 12 point font and placed immediately after the "Notice to the Consumer" statement This must be placed immediately below the signature line This statement must be placed at the

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Requirement		Do you meet this requirement?
25	The "Consumer Bill of Rights Regarding Towing of Accident Vehicles and Repair Shops" must be given to every owner or person in charge of a vehicle involved in an accident before the person signs the Authorization to Tow Form.	☐ Yes
	A model form is available online at nyc.gov/BusinessToolbox .	
	6 RCNY §2-367.1	

For more information: Visit nyc.gov/BusinessToolbox | Contact 311 (212) NEW-YORK (Outside NYC)

This document is provided for informational purposes only, is not exhaustive, and does not constitute legal advice. New York City businesses must comply with all relevant federal, State, and City laws and rules. Businesses are responsible for knowing and complying with current regulations that affect their business.

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Does your business sell goods or services?

Use this checklist to learn what our inspectors look for and help avoid violations. For your convenience, each Requirement includes the relevant section of law and/or rule, so you can refer to it for more information. The KEY below describes the legal citations and symbols used in this checklist.

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RCNY: Rules of the City of New York
NY GBL: NY General Business Law
§: Section

•		Do you meet this requirement?	
Price	Lists for Services		
1	A price list must be displayed and include the following:	□ Yes	
	List of the type of services		
	Minimum price for each service		
	Conditions or variations of service that change the minimum price		
	 Range of additional charges caused by conditions or variations (e.g., \$10 pants, \$15 pants with pleats) 		
	(if the price is based on an hourly labor rate) Rate as dollars per hour		
	Tip: If the price list states a price "and up" or "from"—e.g., "\$5 and up" or "from \$5"—it must also state the reason(s) for the different prices and include the range of prices.		
	6 RCNY §5-70(a)		
2	The price list must be clearly posted or clearly displayed at the place(s) where payment is made (e.g., near the cash register) and/or where orders are placed.	□ Yes	
	6 RCNY §5-70(a)		
3	If there is a sale or promotion, the pre-sale prices must also be posted.	□ Yes	
	NYC Code §20-750(b)		
4	Prices for services cannot be based on gender.	□ Yes	
	Tip: Words like "men's," "women's," and "ladies'" cannot be used to describe the price.		
	NYC Code §20-750(c)		
Pricir	Pricing for Goods		
5	All items offered for sale must show a price, exclusive of tax, as follows:	□ Yes	
	The price must be attached to the item by a stamp, tag, or label. OR		
	The price must be stated on a sign that is plainly visible where the item is displayed.		
	NYC Code §20-708, NYC Code §20-708.1		

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quirement	Do you meet th requirement?
If your store's annual revenue is more than \$2 million or you are a chain store, you must individually price each item, including food products, paper products, detergents, soaps, nonprescription drugs, and health and beauty aids.	☐ Yes
Exceptions:	
 You do NOT need to individually price each item if you provide price scanners for customer use that meet the following requirements: 	
 Price scanners are within 30 feet of an item OR there is a sign in view of the item that says "A Price Scanner for Customer Use to Check Prices is Located (indicate location)." AND 	
 The number of price scanners available to customers is based on the number of checkout stations: 	
1–3 checkout stations = 1 or more price scanners	
4-5 checkout stations = 2 or more price scanners 6-7 checkout stations = 3 or more price scanners	
8–9 checkout stations = 4 or more price scanners	
10 or more checkout stations = 5 or more price scanners	
 The following items must be individually priced unless shelf prices and a price look-up function are provided: Milk 	
 Items that are under 3 cubic inches in size, weigh less than 3 ounces, and cost under 1 dollar 	
– Eggs	
Fresh produce not packaged for retail sale	
Products sold through a vending machine	
 Food sold for consumption on the premises 	
 Snack foods offered for sale in single packages that weigh 5 ounces or less, e.g., cakes, gum, candies, chips, and nuts 	
 Cigarettes, cigars, tobacco, and tobacco products 	
 Food offered for sale in bulk 	
- Frozen juice	
- Ice cream	
 Frozen foods packaged for final retail sale in plastic bags 	
 Items on sale for 1 week or less, but only if they are located in a segregated display at the end of the aisle and the sale period, name of the product, and the advertised price are clearly posted on a sign at the point of display 	
 Jars of baby food 	_

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Requ	irement	Do you meet this requirement?
Signs		
7	Sale signs that advertise a price range or percent discount—example: "Savings of 20 to 50%" or "20% to 50% off"—must state the minimum and maximum percentages in equal size. 20–59% OFF	□ Yes
	6 RCNY §5-94(a)(1)	
8	Advertising, including sale signs, cannot contain any of the following phrases: • "Our list price" • Below "manufacturer's wholesale cost" • "Manufacturer's cost"	□ Yes
	6 RCNY §5-101	
9	 Tip: A refund policy sign must be posted at each register, point of sale, or entrance, or attached to each item. Tip: Even if the policy is not to give refunds, a sign must be posted stating "No Refunds." Tip: The sign must state that a written copy of the store's refund policy is available on request. 	□ Yes
	6 RCNY §5-37; NY GBL §218-a	
10	The refund policy sign must state any and all conditions or limitations to getting a refund. For example, it must state: • Any fees charged for refunds, such as "restocking fees" • If a refund will not be provided for "as is" or "sale" items • Whether the refund will be in cash, credit, or store credit only • If proof of purchase is required for a refund • If a refund will be provided at any time or within a specific period of time 6 RCNY §5-37; NY GBL §218-a	□ Yes
44		□ Vaa
11	If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted at or near each entrance and in all advertising that indicates credit cards are accepted.	□ Yes
	6 RCNY §5-24(b)	

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Requirement		Do you meet this requirement?
Rece	ipts	
12	Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20.	□ Yes
	Tip: This does not apply to food and drink that is meant to be consumed on the premises.	
	6 RCNY §5-32	
13	The receipt must include each of the following:	□ Yes
	Date of purchase	
	Amount paid for each item	
	Total amount paid	
	Separate statement of tax	
	Business name and address	
	6 RCNY §5-32(c)	
14	Receipts for audio, photographic, and video equipment that cost more than \$100 must also include the make and model number of the item.	□ Yes
	6 RCNY §5-32(c)(5)	
Price	Accuracy	
15	The price charged for an item at checkout, including scanned items, must not exceed the item's tagged, stamped, or marked price, shelf price, sale price, or advertised price.	□ Yes
	NYC Code §20-708.1(d), NYC Code §20-708.1(e)	
16	Tax cannot be charged on tax-exempt items.	□ Yes
	Tip: Examples of tax-exempt items include but are not limited to: feminine hygiene products, canned vegetables, baby food, clothing under \$110, diapers, nonprescription or over-the-counter drugs, contraceptives.	
	Tip: Check with the New York State Department of Taxation and Finance for a complete list of which items are exempt.	
	6 RCNY §5-41]

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·		Do you meet this requirement?	
Layaway Plans			
17	A "layaway plan" means a purchase over \$50 where consumers agree to pay for the purchase in 4 or more installments before getting the merchandise. If a layaway plan is offered, each of the following written disclosures must be provided to consumers prior to accepting any payments:	□ Yes	
	 Description of the item, including name of manufacturer, brand name, color, size, style, or model number 		
	Total cost of the item, including tax, installation, delivery, or freight charges		
	 Any charge to use layaway, including any service charge, carrying charge, or cancellation fee 		
	Duration of the layaway plan		
	Payment schedule and any consequences of missed payments		
	Refund policy regarding the payments		
	 Notice of where the item is being stored, if other than the place of purchase, or if the item will not be removed from inventory until additional payments are made: 		
	Example 1: NOTICE: NO MERCHANDISE WILL BE REMOVED FROM INVENTORY UNTIL X% OF THE PURCHASE PRICE HAS BEEN PAID.		
	Example 2: ATTENTION: YOUR SELECTION OF MERCHANDISE WILL NOT BE ORDERED UNTIL YOU HAVE MADE YOUR NEXT TO FINAL PAYMENT.		
	6 RCNY §5-23; NY GBL §396-t		
Expi	red Over-the-counter Medication		
18	It is illegal to sell over-the-counter medication after the expiration date on the label.	☐ Yes	
	NYC Code §20-822(a)		

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1 ·		Do you meet this requirement?		
Cash	Cash Payments			
19	Your store cannot refuse to accept cash payments from consumers.	☐ Yes		
	Exceptions:			
	Your store may refuse bills above \$20.			
	 Your store may refuse cash payments for telephone, mail, or internet-based transactions, unless the transaction takes place in the store. 			
	 Your store may accept prepaid cards from an on-site device that converts cash into prepaid cards, but only if: 			
	 The device does not charge a fee for the prepaid card or require a minimum deposit above \$1. 			
	 Upon request, the device provides the consumer with a receipt stating the amount of cash the consumer deposited onto the prepaid card. 			
	 Cash deposits onto the prepaid card do not expire. 			
	 There is no limit on the number of transactions a consumer can complete with the prepaid card. 			
	You must clearly post a sign on or immediately next to the device when it is not working that states your store is required to accept cash payments and consumers may report violations by calling 311.			
	NYC Code §20-840			
20	Your store cannot charge a consumer who pays in cash a higher price for the same "consumer commodity" than a consumer who pays by credit card or other cashless transaction.	□ Yes		
	Tip: "Consumer commodity" means any article, good, merchandise, product, or commodity of any kind that is produced, distributed, or offered for retail sale.			
	NYC Code §20-840(c)			

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