

NEW YORK CITY  
DEPARTMENT OF CONSUMER AND WORKER PROTECTION

DCWP RULES HEARING - TOW AND BOOTING  
PENALTY SCHEDULE

VIRTUAL PUBLIC HEARING

REMOTE - VIA TELECONFERENCE

March 11, 2024

INDEX

Name/Title	Page
Karline Jung, Hearing Officer	3
Zach Miller, Trucking Ass'n. of New York	4
Unidentified Male 1	6
Unidentified Male 2	8

1 MS. KARLINE JUNG: Okay, I'll get started.  
2 So, good morning. My name is Karline Jung. I've been  
3 designated as the Hearing Officer for the public  
4 hearing of the Department of Consumer and Worker  
5 Protection on the proposed rules to amend the penalty  
6 schedules concerning the towing of vehicles and  
7 booting of motor vehicles. This hearing is being held  
8 by teleconference call. It is now 11:03 a.m. on  
9 Monday, March 11, 2024, and I'm hereby convening the  
10 public hearing on this proposed rule.

11 The proposed rule was published in The City  
12 Record on February 8, 2024. The published notice and  
13 rules are available online on the NYC Rules website  
14 and the Department's website. The Department has  
15 proposed these rules pursuant to the authority vested  
16 in the Commissioner of the Department of Consumer and  
17 Worker Protection by sections 1043 and 2203(f) and  
18 2203(h)(1) of the New York City Charter, and sections  
19 19-169(b), 19-169.1(m), and 19-169.2(k) of the New  
20 York City Administrative Code.

21 This hearing affords the public the  
22 opportunity to comment on all aspects of the rule the  
23 Department has proposed. The Department will  
24 carefully review all testimony and written comments  
25 received at this hearing, and will give due weight and

1 consideration to proposals and recommendations that  
2 are submitted for the record at this hearing.

3 To ensure everyone seeking to testify will  
4 have an opportunity to do so, I ask that we follow  
5 these ground rules. During the hearing, all  
6 participants should give due respect and consideration  
7 to the folks offering their testimony, and please mute  
8 your lines if you're not speaking. Each witness will  
9 have a maximum of three minutes to provide oral  
10 testimony. If your comments take longer than three  
11 minutes, please synthesize your oral testimony and  
12 leave a written copy for the record. Unlike the limit  
13 on the time for oral testimony, there is no limit on  
14 the number of pages you can submit as written  
15 testimony or as documents for the record. The written  
16 submission will be part -- will be made part of the  
17 public record.

18 If you are looking to testify today and you  
19 have not yet let me know, please let me know. Yes,  
20 Zach Miller, you may testify whenever you're ready.

21 MR. ZACH MILLER: Thanks. Can you hear me?

22 MS. JUNG: Yeah, I can hear you.

23 MR. MILLER: Great. Good morning, and thank  
24 you for the opportunity to share testimony. My name  
25 is Zach Miller. I am the Director of Metro Region

1 Operations for the Trucking Association of New York.  
2 Last month, the Federal Motor Carrier Safety  
3 Administration (FMCSA) issued comments outlining  
4 concerns with predatory towing junk fee practices that  
5 significantly increase costs for commercial motor  
6 vehicle owners and operators. The comment also offers  
7 support for the proposed ban on hidden and misleading  
8 fees and urges the FTC to consider additional  
9 restrictions against the types of unnecessary and  
10 excessive mandatory junk fees plaguing truckers.

11 Though not directly related, we are glad to  
12 see DCWP issue amendments to ensure a towing and  
13 booting penalty schedule includes all towing and  
14 booting charges for which they are authorized to issue  
15 violations, including those on Title 19 of New York  
16 City Administrative Code. Since all of New York City  
17 is a towaway zone, it is imperative that towing  
18 operators follow best practices and procedures. No  
19 motorist should be taken advantage of. It is our hope  
20 that this amended penalty schedule will ensure that.

21 As always, the Trucking Association of New  
22 York looks forward to ongoing collaboration and  
23 dialogue with the Department of Consumer and Worker  
24 Protection. Thank you for your time.

25 MS. JUNG: Alright, thank you. If anyone

1 else is looking to testify, please let me know. Okay.  
2 Seeing no one present to offer testimony, I will  
3 adjourn the hearing until an individual appears to  
4 offer testimony or until 12:00 p.m., whichever comes  
5 first. Thank you.

6 Okay. If you're looking to testify, please  
7 let me know. Thank you.

8 UNIDENTIFIED MALE 1: Sorry, you said  
9 looking for what?

10 MS. JUNG: If you're looking to testify.

11 UNIDENTIFIED MALE 1: Oh, no.

12 MS. JUNG: Okay.

13 UNIDENTIFIED MALE 1: Yeah, no, no, I'm not.  
14 I was just calling for the --

15 MS. JUNG: Okay, that's totally fine.

16 UNIDENTIFIED MALE 1: Okay. Is this for the  
17 general towing and bo- booting penalty schedule?

18 MS. JUNG: Yeah.

19 UNIDENTIFIED MALE 1: Oh, okay, okay, cool.  
20 Do I have to do something to join the actual meeting?

21 MS. JUNG: So this is, so the hearing is  
22 going on right now, but no one is testifying. So if  
23 you're interested in testifying, you can testify.  
24 But, if not, no one else is in the meeting, so.

25 UNIDENTIFIED MALE 1: Oh, so the meeting

1           isn't actually livestreamed. The, just the testifying  
2           is livestreamed?

3                   MS. JUNG: So this is the public hearing for  
4           those who want to testify.

5                   UNIDENTIFIED MALE 1: Oh, okay.

6                   MS. JUNG: Yeah.

7                   UNIDENTIFIED MALE 1: So, okay, okay, okay.  
8           So, understood. So the meeting is still going on --

9                   MS. JUNG: Mm-hmm, yes.

10                   UNIDENTIFIED MALE 1: -- now, elsewhere?

11                   MS. JUNG: Oh, no, this is the meeting.

12                   UNIDENTIFIED MALE 1: Got you. So this  
13           meeting is just for testifying against the booting and  
14           towing? Okay.

15                   MS. JUNG: Yeah, if you want to provide --  
16           yeah, if you want to provide any comments.

17                   UNIDENTIFIED MALE 1: Okay, understood.  
18           Alright.

19                   MS. JUNG: Yeah.

20                   UNIDENTIFIED MALE 1: Well, thank you so  
21           much. Really appreciate it.

22                   MS. JUNG: Okay, no problem.

23                   UNIDENTIFIED MALE 1: Yeah, have a good one.

24                   MS. JUNG: Yeah, you, too.

25                   Hello. If you're looking to testify at the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

hearing, please let me know. Thank you.

UNIDENTIFIED MALE 2: Okay, Karline, good morning. I'm not looking to testify.

MS. JUNG: Alright, sounds good. Thank you.

UNIDENTIFIED MALE 2: Thank you. Alright, my bad.

MS. JUNG: Seeing that it is now 12:00 p.m., I will adjourn the hearing. Thank you.

[END OF PUBLIC HEARING]

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of Rules Hearing - Tow and Booting Penalty Schedule on March 11, 2024, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



---

Date: April 7, 2024

GENEVAWORLDWIDE, INC  
228 Park Ave S - PMB 27669  
New York, NY 10003