

Inspection Checklist: Tow Truck Companies and Drivers

*Do you operate a tow truck company?
Do you drive a tow truck?*

Definitions:

In New York City, licensed tow companies may tow vehicles without prior consent of the owner of the vehicle only under:

- Directed Accident Towing Program (**DARP**): tow of vehicles that have been involved in an accident and cannot safely be driven under their own power
- Rotation Tow Program (**ROTOW**): tow of stolen vehicles that have been recovered or abandoned, and when a vehicle is parked inconsistently with posted instructions on private property

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:

Requirement	Do you meet this requirement?
Licenses	
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 DCA Tow Truck Company license. Anyone operating a tow truck must have a valid DCA Tow Truck Driver license. NYC Code §20-496(a)-(b)	<input type="checkbox"/> Yes
2 DCA’s combined license and complaint sign must be posted where all customers can see it. 6 RCNY §1-03(a)	<input type="checkbox"/> Yes
3 The business phone number that you list on your DCA license application must be working at your business premises. NYC Code §§20-518(a)(3), 20-518(c-1) (1), 20-519(a)(3)	<input type="checkbox"/> Yes
4 Your business must accept at least two major credit cards (MasterCard, Visa, American Express, or Discover). NYC Code §§20-527, 20-520.1(b)	<input type="checkbox"/> Yes

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Requirement	Do you meet this requirement?
Signs	
<p>5 An information sign must be clearly displayed where payment is made and list all of the following:</p> <ul style="list-style-type: none"> • Business name, address, and telephone number • DCA license number • Rates for towing and storage • DCA's complaint telephone number (311) <p>NYC Code §20-507(a)</p>	<input type="checkbox"/> Yes
Records	
<p>6 If your business is authorized to tow from private property, records must be maintained with all of the following:</p> <ul style="list-style-type: none"> • Authorization to tow from private parking lots • Trip records • Receipts for car removal and storage costs • Contracts to tow from private property <p>Tip: The records must be maintained in electronic format for 3 years and be available for inspection.</p> <p>6 RCNY §2-378(e)(1)-(3)</p>	<input type="checkbox"/> Yes
Truck Requirements	
<p>7 The Vehicle Identification Number (VIN) on the insurance document must match the VIN on the registration.</p> <p>6 RCNY §2-362(k)</p>	<input type="checkbox"/> Yes
<p>8 The truck must have valid tow truck plates from the Department of Motor Vehicles.</p> <p>NYC Code §20-501(a)</p>	<input type="checkbox"/> Yes
<p>9 The Gross Vehicle Weight Rating (GVWR) must be 8,600 pounds or heavier.</p> <p>VTL §401-b</p>	<input type="checkbox"/> Yes
<p>10 If the vehicle is registered over 10,000 pounds, there must be a valid NYC Department of 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.</p> <p>NYC Code §11-809</p>	<input type="checkbox"/> Yes

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Requirement		Do you meet this requirement?
11	<p>All of the following information* must be clearly painted on both sides of the truck(s):</p> <ul style="list-style-type: none"> • Company name, address, and telephone number • Plate Number • DCA Plate <p>Tip: The letters must be at least 1 ½ inches high and ¼ inch wide.</p> <p>Tip: The lettering must be easily visible when the truck is in motion and in a contrasting color to the background.</p> <p>*DARP participants must include the DCA complaint number (311) and the legal rate for DARP tows on the decals, specifically identified as “Rates for accident tows.”</p> <p>*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.</p> <p>Tip: Decals must be at least 3 and 3/16 inches wide by 2 inches high.</p> <p>Tip: The decals cannot be a magnet.</p> <p>NYC Code §20-507(b)</p>	<input type="checkbox"/> Yes
12	<p>The medallion number on the tow truck must be at least 12 inches high and, if the vehicle is a flatbed, the medallions must be at least 6 inches high.</p> <p>6 RCNY §2-362(n)(2)</p>	<input type="checkbox"/> Yes
13	<p>The winch, crane, or wheel lift must be operational and the amber lights of the truck must be removable and operational.</p> <p>VTL §375 (27)</p>	<input type="checkbox"/> Yes
14	<p>DARP and ROTOW participants must have at least two tow trucks.</p> <p>Tip: For DARP participants, one of the tow trucks must be a flatbed.</p> <p>Tip: ROTOW participants must have equipment to tow vehicles that have damaged or missing wheels.</p> <p>6 RCNY §2-371(k) or 6 RCNY §2-372(g)-(h)</p>	<input type="checkbox"/> Yes
15	<p>Trucks must have a current New York State Inspection Sticker affixed to the windshield.</p> <p>NYC Code §20-501(a)</p>	<input type="checkbox"/> Yes

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Requirements for DARP and ROTOW participants:

Requirement	Do you meet this requirement?
Books and Records	
<p>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:</p> <ul style="list-style-type: none"> • 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 <p>ROTOW participants must also record:</p> <ul style="list-style-type: none"> • Name and rank of the NYPD officer who authorized the tow • Precinct voucher number • Precinct number • Vehicle disposition 	<input type="checkbox"/> Yes
6 RCNY §2-371(u) or 6 RCNY § 2-372(o)	
Storage Facility	
<p>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.</p>	<input type="checkbox"/> Yes
6 RCNY §2-371(v) or 6 RCNY § 2-372(p)	
<p>18 The storage facility must be indoors or a lighted, fenced-in outdoor facility with a locked gate.</p>	<input type="checkbox"/> Yes
6 RCNY §2-371(m) or 6 RCNY §2-372(i)	
<p>19 A bathroom and telephone must be available to the public.</p>	<input type="checkbox"/> Yes
NYC Code §20-518(c-1)(1)	
<p>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.</p>	<input type="checkbox"/> Yes
6 RCNY §2-371(n) or 6 RCNY §2-372(i)	
<p>21 The total area of the storage facility and auxiliary lot must be at least:</p> <ul style="list-style-type: none"> • 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 	<input type="checkbox"/> Yes
6 RCNY §2-371(m) or 6 RCNY §2-372(i)	
<p>22 Two tow companies cannot share the same space. The businesses must be separated by a physical separation, such as a fence.</p>	<input type="checkbox"/> Yes
6 RCNY §2-371(m) or 6 RCNY §2-372(i)	

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Requirement	Do you meet this requirement?												
Authorization Forms													
<p>23 An authorization to tow form (or tow receipt) is required for every tow, and it must contain all of the following:</p> <ul style="list-style-type: none"> • Business name, address, telephone number • DCA 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 DCA license number • Tow truck’s license plate number and DCA plate number • Address where the vehicle was towed from and to • Distance of tow • Itemized list of all fees charged <p>6 RCNY §2-367(b)(2)-(8)</p>	<input type="checkbox"/> Yes												
<p>24 The tow authorization form must contain all of the following:</p> <table border="1" data-bbox="212 1010 1247 1766"> <tr> <td data-bbox="212 1010 781 1094">AUTHORIZATION TO TOW</td> <td data-bbox="781 1010 1247 1094">Bold 12 point font at the top of the document</td> </tr> <tr> <td data-bbox="212 1094 781 1178">I DIRECT THAT THE VEHICLE BE TOWED TO THE FOLLOWING LOCATION</td> <td data-bbox="781 1094 1247 1178">Bold 12 point font with enough space below it to fill in a location</td> </tr> <tr> <td data-bbox="212 1178 781 1262">NOTICE TO CONSUMER</td> <td data-bbox="781 1178 1247 1262">Bold at least 12 point font above the signature portion of the document</td> </tr> <tr> <td data-bbox="212 1262 781 1409">I AUTHORIZE THE TOWING AND, WHERE APPLICABLE, THE STORAGE OF THE ABOVE VEHICLE TO THE LOCATION AS SPECIFIED ABOVE</td> <td data-bbox="781 1262 1247 1409">Bold 12 point font and placed immediately after the “Notice to Consumer” statement</td> </tr> <tr> <td data-bbox="212 1409 781 1619">If you have any complaint concerning the charges for towing or about towing services, notify: Department of Consumer Affairs Consumer Services (Department’s current address; Department’s current phone number for complaints)</td> <td data-bbox="781 1409 1247 1619">This must be placed immediately below the signature line</td> </tr> <tr> <td data-bbox="212 1619 781 1766">PLEASE SEE CONSUMER BILL OF RIGHTS REGARDING TOWING OF ACCIDENT VEHICLES AND REPAIR SHOPS ON THE BACK OF THIS AUTHORIZATION FORM</td> <td data-bbox="781 1619 1247 1766">This statement must be placed at the bottom of the page</td> </tr> </table> <p>Tip: A model form is available online at nyc.gov/BusinessToolbox.</p> <p>6 RCNY §2-367(b)(1), (9)-(13)</p>	AUTHORIZATION TO TOW	Bold 12 point font at the top of the document	I DIRECT THAT THE VEHICLE BE TOWED TO THE FOLLOWING LOCATION	Bold 12 point font with enough space below it to fill in a location	NOTICE TO CONSUMER	Bold at least 12 point font above the signature portion of the document	I AUTHORIZE THE TOWING AND, WHERE APPLICABLE, THE STORAGE OF THE ABOVE VEHICLE TO THE LOCATION AS SPECIFIED ABOVE	Bold 12 point font and placed immediately after the “Notice to Consumer” statement	If you have any complaint concerning the charges for towing or about towing services, notify: Department of Consumer Affairs Consumer Services (Department’s current address; Department’s current phone number for complaints)	This must be placed immediately below the signature line	PLEASE SEE CONSUMER BILL OF RIGHTS REGARDING TOWING OF ACCIDENT VEHICLES AND REPAIR SHOPS ON THE BACK OF THIS AUTHORIZATION FORM	This statement must be placed at the bottom of the page	<input type="checkbox"/> Yes
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Requirement		Do you meet this requirement?
25	<p>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 and must contain the following information:</p> <ul style="list-style-type: none"> • YOU HAVE A RIGHT TO DIRECT THE COMPANY TO TOW THE VEHICLE TO ANY LOCATION WITHIN THE BOUNDARIES OF NEW YORK CITY • UNLESS YOU HAVE SEPARATELY AUTHORIZED THE TOWING COMPANY’S REPAIR SHOP TO MAKE REPAIRS, YOU ARE NOT RESPONSIBLE FOR THE COST OF REPAIRS MADE BY SUCH REPAIR SHOP <p>Tip: The title “Consumer Bill of Rights Regarding Towing of Accident Vehicles and Repair Shops” must be in capital, block letters and in 14 point boldface, and the remaining text must be in 10 point font.</p> <p>Tip: A model form is available online at nyc.gov/BusinessToolbox.</p>	<input type="checkbox"/> Yes
6 RCNY §2-367.1		

New York City businesses must comply with all relevant federal, State, and City laws and rules, which are available in DCA’s Business Toolbox. Businesses are responsible for knowing and complying with current regulations that affect their business.

Inspection Checklist: General Retail

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.



KEY
<p>NYC Code: NYC Administrative Code RCNY: Rules of the City of New York NY GBL: NY General Business Law §: Section</p>

Requirement	Do you meet this requirement?
Price Lists for Services	
<p>1 A price list must be displayed and include the following:</p> <ul style="list-style-type: none"> 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 <p>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.</p> <p>6 RCNY §5-70(a)</p>	<input type="checkbox"/> Yes
<p>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.</p> <p>6 RCNY §5-70(a)</p>	<input type="checkbox"/> Yes
<p>3 If there is a sale or promotion, the pre-sale prices must also be posted.</p> <p>NYC Code §20-750(b)</p>	<input type="checkbox"/> Yes
<p>4 Prices for services cannot be based on gender.</p> <p>Tip: Words like “men’s,” “women’s,” and “ladies” cannot be used to describe the price.</p> <p>NYC Code §20-750(c)</p>	<input type="checkbox"/> Yes
Pricing for Goods	
<p>5 All items offered for sale must show a price, exclusive of tax, as follows:</p> <ul style="list-style-type: none"> 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. <p>NYC Code §20-708, NYC Code §20-708.1</p>	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
<p>6</p>	<p>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.</p> <p><i>Exceptions:</i></p> <ul style="list-style-type: none"> • You do NOT need to individually price each item if you provide price scanners for customer use that meet the following requirements: <ul style="list-style-type: none"> – 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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> – 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
<p>NYC Code §20-708.1(b), NYC Code §20-708.1(c)</p>	<p><input type="checkbox"/> Yes</p>

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
Signs	
<p>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.</p> <div style="display: flex; justify-content: center; gap: 20px;">   </div> <p>6 RCNY §5-94(a)(1)</p>	<input type="checkbox"/> Yes
<p>8 Advertising, including sale signs, cannot contain any of the following phrases:</p> <ul style="list-style-type: none"> • “Our list price” • Below “manufacturer’s wholesale cost” • “Manufacturer’s cost” <p>6 RCNY §5-101</p>	<input type="checkbox"/> Yes
<p>9 Businesses that sell goods and services must post a refund policy sign.</p> <p>Tip: A refund policy sign must be posted at each register, point of sale, or entrance, or attached to each item.</p> <p>Tip: Even if the policy is not to give refunds, a sign must be posted stating “No Refunds.”</p> <p>Tip: The sign must state that a written copy of the store’s refund policy is available on request.</p> <p>6 RCNY §5-37; NY GBL §218-a</p>	<input type="checkbox"/> Yes
<p>10 The refund policy sign must state any and all conditions or limitations to getting a refund. For example, it must state:</p> <ul style="list-style-type: none"> • 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 <p>6 RCNY §5-37; NY GBL §218-a</p>	<input type="checkbox"/> Yes
<p>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.</p> <p>6 RCNY §5-24(b)</p>	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
Receipts	
<p>12 Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20.</p> <p>Tip: This does not apply to food and drink that is meant to be consumed on the premises.</p> <p>6 RCNY §5-32</p>	<input type="checkbox"/> Yes
<p>13 The receipt must include each of the following:</p> <ul style="list-style-type: none"> • Date of purchase • Amount paid for each item • Total amount paid • Separate statement of tax • Business name and address <p>6 RCNY §5-32(c)</p>	<input type="checkbox"/> Yes
<p>14 Receipts for audio, photographic, and video equipment that cost more than \$100 must also include the make and model number of the item.</p> <p>6 RCNY §5-32(c)(5)</p>	<input type="checkbox"/> Yes
Price Accuracy	
<p>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.</p> <p>NYC Code §20-708.1(d), NYC Code §20-708.1(e)</p>	<input type="checkbox"/> Yes
<p>16 Tax cannot be charged on tax-exempt items.</p> <p>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.</p> <p>Tip: Check with the New York State Department of Taxation and Finance for a complete list of which items are exempt.</p> <p>6 RCNY §5-41</p>	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
Layaway Plans	
<p>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:</p> <ul style="list-style-type: none"> • 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: <p><i>Example 1: NOTICE: NO MERCHANDISE WILL BE REMOVED FROM INVENTORY UNTIL X% OF THE PURCHASE PRICE HAS BEEN PAID.</i></p> <p><i>Example 2: ATTENTION: YOUR SELECTION OF MERCHANDISE WILL NOT BE ORDERED UNTIL YOU HAVE MADE YOUR NEXT TO FINAL PAYMENT.</i></p> <p>6 RCNY §5-23; NY GBL §396-t</p>	<input type="checkbox"/> Yes
Expired Over-the-counter Medication	
<p>18 It is illegal to sell over-the-counter medication after the expiration date on the label.</p> <p>NYC Code §20-822(a)</p>	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
Cash Payments	
<p>19 Your store cannot refuse to accept cash payments from consumers.</p> <p><i>Exceptions:</i></p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> – 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. <p>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.</p> <p>NYC Code §20-840</p>	<input type="checkbox"/> Yes
<p>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.</p> <p>Tip: “Consumer commodity” means any article, good, merchandise, product, or commodity of any kind that is produced, distributed, or offered for retail sale.</p> <p>NYC Code §20-840(c)</p>	<input type="checkbox"/> Yes

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.