

Inspection Checklist: Booting of Motor Vehicles

Do you place a mechanical device (boot) on parked motor vehicles to prevent them from moving?

The following are exempt:

- Governmental entity
- Person acting under the direction of a governmental entity

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
NYC Code: NYC Administrative Code RCNY: Rules of the City of New York §: Section

Requirement	Do you meet this requirement?
Licenses	
1 You must have a valid Department of Consumer and Worker Protection (DCWP) Booting Company license. NYC Code §20-531(a)	<input type="checkbox"/> Yes
2 DCWP's combined license and complaint sign must be posted where all customers can see it. 6 RCNY §1-03(a)	<input type="checkbox"/> Yes
Prices and Payments	
3 You may not charge more than \$25 to remove a boot from a motor vehicle that has been booted on a private parking lot. NYC Code §20-535(a)	<input type="checkbox"/> Yes
4 You must accept at least two major credit cards, such as Visa or MasterCard, for payment. 6 RCNY §2-403(a)	<input type="checkbox"/> Yes
Records	
5 You must maintain a list of all identification badges issued to employees. The list must include the following information in chronological order: <ul style="list-style-type: none"> • identification number; • name of individual to whom badge was issued; • date on which individual was first employed/authorized to accept payment; • date badge was issued; • date on which individual was last employed, and • date on which badge was returned by individual. 6 RCNY §2-407(d)	<input type="checkbox"/> Yes

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<p>6 If you boot vehicles on properties where the parking rules allow booting if a vehicle stays longer than a specified period of time, you must maintain a “time of first sighting log” that contains the following information:</p> <ul style="list-style-type: none"> • address of the property for which the log is kept; • name of the owner of the property; • exact time when the booted vehicle was first observed on the property; • booted vehicle’s license plate number; and • exact time when the booted vehicle was observed parked beyond the allowed time period. <p>6 RCNY §2-408(b)</p>	<input type="checkbox"/> Yes
<p>7 You must maintain copies of all receipts given to the owner or other person in charge of the booted vehicle. Each receipt must include the following information:</p> <ul style="list-style-type: none"> • the words “booting receipt” at the top of the receipt; • a receipt identification number that is nonduplicative of other receipts; • the name, business address, business telephone number, and DCWP license number of the booting company that authorized or directed an employee to boot the vehicle; • the address of the property where the vehicle was booted and a description of the location of the vehicle on the property; • the vehicle license plate number, vehicle identification number, and the make and color of the vehicle; • the words “The vehicle was booted because” followed by a full and accurate description of why the vehicle was booted; • the date and time when the vehicle was booted; • the amount charged to remove the boot; • the amount paid, method of payment, and the date and time when payment was made; • the name, identification badge number, and signature of the authorized individual who accepted payment; • the name, identification badge number, and initials of the employee who attached and/or removed the boot; • the name of the owner or lessee of the property on which the vehicle was booted and the address and telephone number where the owner can be reached during normal business hours; and • the name and address of DCWP as the licensing agency and the telephone number where vehicle operators can file booting complaints with DCWP. <p>Tip: The Booting Company license includes DCWP’s address and telephone number for complaints.</p> <p>6 RCNY §2-408(d)</p>	<input type="checkbox"/> Yes

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Requirement	Do you meet this requirement?
<p>8 The receipts you give consumers must include the following language: “Important Notice to Operator of Booted Vehicle: The charge for booting and/or towing the vehicle cannot be more than the amount shown on the signs posted on this property. A car can be booted and a charge imposed only if the vehicle was parked in violation of the posted parking rules. A booting licensee must state in this notice the facts that substantiate how the posted parking rules were violated. See the back of this form for more information about your rights.”</p> <p>6 RCNY §2-408(d)(1)</p>	<input type="checkbox"/> Yes
<p>9 The receipts you give consumers must also include the following language: “NOTICE OF RIGHTS: You are entitled to ask for a hearing before the Department of Consumer Affairs if you dispute the justification you were given or the amount you were charged for the booting of your vehicle, or for other violations of law or the rules governing booting. No release or waiver of any kind purporting to limit or avoid liability for damages to a vehicle that has been booted shall be valid. If you dispute the accuracy of any claims made by the licensee’s employee or the person authorized to accept payment, or the owner of the property on which your vehicle was booted, obtain as much information or names of witnesses that can verify your claims.”</p> <p>6 RCNY §2-408(d)(2)</p>	<input type="checkbox"/> Yes
<p>10 You must maintain a daily “booting removal request” log that contains the following information for each request to remove a boot:</p> <ul style="list-style-type: none"> • the exact time that a person called or appeared at the office of the licensee (booting company) or at a designated place on the property where the vehicle was booted to request removal of the boot; • the name of the person who called or appeared to request removal; • the name of the person who received the request for removal; • the booting receipt identification number; • the location where the vehicle was booted; • the license plate number and vehicle identification number provided by the person who called or appeared to request removal; and • the exact time, accurate to the nearest minute, when the licensee or licensee’s employee was dispatched to remove the boot. <p>6 RCNY §2-408(e)</p>	<input type="checkbox"/> Yes

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