

**OPENING STATEMENT OF
MADELYNN LIGUORI
DIRECTOR REGULATORY COMPLIANCE & ENFORCEMENT/EXECUTIVE AGENCY COUNSEL
NEW YORK CITY DEPARTMENT OF SANITATION**

**PUBLIC HEARING ON DSNY'S PROPOSED RULE
RELATING TO NOTICE AND HEARING REQUIREMENTS FOR ABANDONED VEHICLES**

**THURSDAY, JANUARY 15, 2025
9:30 A.M.
(REMOTE HEARING)**

Good morning and welcome. My name is Madelynn Liguori. I am the Director of Regulatory Compliance & Enforcement and Executive Agency Counsel for the Department of Sanitation ("DSNY"). Thank you for attending this public hearing this morning.

DSNY is conducting this remote hearing in accordance with the requirements of the City Administrative Procedure Act. The purpose of this hearing is to receive comments from the public on DSNY's proposed rule relating to notice and hearing requirements for abandoned vehicles.

This rule was published by DSNY in the City Record on December 16, 2025, with a scheduled hearing date of today, January 15, 2026. Additionally, DSNY emailed copies of the rule to all New York City local elected officials, the City's fifty-nine community boards, media and interested parties, and published the proposed rule on its website.

The New York City Department of Sanitation (DSNY) is responsible for the removal of certain abandoned vehicles within New York City. An abandoned vehicle, as described in section 1224(2) of the New York State Vehicle and Traffic Law (VTL), includes vehicles parked on the street, without license plates, for more than 6 hours.

This proposed rule would set forth notice requirements to ensure that registered owners and other ascertainable interested parties (including any lienholders or other persons with a legal claim or security interest in an abandoned vehicle) are notified and provided an opportunity to claim the vehicle before the abandoned vehicle is dismantled, destroyed, or disposed of. This proposed rule would also establish procedures for an interested party to challenge the

removal of an abandoned vehicle by DSNY or the fees imposed for towing and storage of an abandoned vehicle.

Specifically, this proposed rule would:

1. Establish a notice process by which DSNY would send ascertainable owners and interested parties, by certified mail, return receipt requested, or by email, if authorized, a notice containing the following information:
 - a brief description of the abandoned vehicle;
 - the date of such vehicle's removal;
 - instructions on how to redeem such vehicle;
 - all applicable towing and storage fees;
 - instructions on how to request a hearing to challenge the removal of the vehicle and/or the imposition of towing and storage fees;
 - examples of documents to demonstrate that the interested party is entitled to redeem such vehicle; and
 - a statement of DSNY's right to have such vehicle dismantled, destroyed or otherwise disposed of, unless, within 10 calendar days after the date on which such notice is sent, an interested party presents proof to the Department establishing lawful entitlement to possession of such vehicle and pays all applicable fees or requests a hearing.
2. Provide an owner or interested party with an opportunity, within 10 calendar days from the date of the notice, to either redeem an abandoned vehicle or to challenge the removal of such vehicle and/or the imposition of any fees imposed.
3. Describe the procedure by which an abandoned vehicle can be redeemed.
4. Set forth the procedure to challenge the removal of an abandoned vehicle or the fees imposed, which would include a virtual hearing scheduled within 72 hours of a hearing request, subject to modification based on a request for a reasonable accommodation. A decision would be rendered within 5 business days and would constitute a final agency determination.
5. State the applicable towing and storage fees based on the weight of a vehicle.

This proposed rule would ensure that all interested parties receive notice and an opportunity to be heard prior to an abandoned vehicle being dismantled, destroyed, or disposed of by DSNY.

A court reporter is present today and will record the hearing. You may present an oral statement or submit written comments concerning the proposed rule. We have been accepting written comments on the proposed rule since it was published. Today is the deadline for submission of written comments. Such comments may be emailed directly to nycrules@dny.nyc.gov by 5PM today.

DSNY will make available a copy of all written comments received through today, together with the hearing transcript, for viewing on its website within the next few weeks.

DSNY will carefully consider all the comments it receives today at the hearing and all written comments it receives.

I will begin calling those of you who wish to speak this morning in the order in which you have signed up to testify. While the notice asked that persons wishing to testify sign up in advance of this hearing, anyone wishing to testify at this time may do so by indicating in the chat area that you wish to testify by indicating your name and affiliation, if any. When you speak, please say your name and affiliation, and speak slowly and clearly so that the court reporter can understand and accurately record your statement. We also ask that you limit your statement to three minutes.

Notice and Hearing Requirements for Abandoned Vehicles – NYC Rules

 rules.cityofnewyork.us/rule/notice-and-hearing-requirements-for-abandoned-vehicles/

Rule status: Proposed

Agency: DSNY

Comment by date: January 15, 2026

[Rule Full Text](#)

[DSNY-Proposed-Amendments-Relating-to-Notice-Hearing-Requirements-for-Abandoned-Vehicles.pdf](#)

The New York City Department of Sanitation (DSNY) is responsible for the removal of certain abandoned vehicles within New York City. An abandoned vehicle, as described in section 1224(2) of the New York State Vehicle and Traffic Law (VTL), includes vehicles parked on the street, without license plates, for more than 6 hours. This proposed rule would set forth notice requirements to ensure that registered owners and other ascertainable interested parties (including any lienholders or other persons with a legal claim or security interest in an abandoned vehicle) are notified and provided an opportunity to claim the vehicle before the abandoned vehicle is dismantled, destroyed, or disposed of. This proposed rule would also establish procedures for an interested party to challenge the removal of an abandoned vehicle by DSNY or the fees imposed for towing and storage of an abandoned vehicle. Specifically, this proposed rule would:

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- a brief description of the abandoned vehicle;
- the date of such vehicle's removal;
- instructions on how to redeem such vehicle;
- all applicable towing and storage fees;
- instructions on how to request a hearing to challenge the removal of the vehicle and/or the imposition of towing and storage fees;
- examples of documents to demonstrate that the interested party is entitled to redeem such vehicle; and
- a statement of DSNY's right to have such vehicle dismantled, destroyed or otherwise disposed of, unless, within 10 calendar days after the date on which such notice is sent, an interested party presents proof to the Department establishing lawful entitlement to possession of such vehicle and pays all applicable fees or requests a hearing.

(2) Provide an owner or interested party with an opportunity, within 10 calendar days from

the date of the notice, to either redeem an abandoned vehicle or to challenge the removal of such vehicle and/or the imposition of any fees imposed.

(3) Describe the procedure by which an abandoned vehicle can be redeemed.

(4) Set forth the procedure to challenge the removal of an abandoned vehicle or the fees imposed, which would include a virtual hearing scheduled within 72 hours of a hearing request, subject to modification based on a request for a reasonable accommodation. A decision would be rendered within 5 business days and would constitute a final agency determination.

(5) State the applicable towing and storage fees based on the weight of a vehicle. This proposed rule would ensure that all interested parties receive notice and an opportunity to be heard prior to an abandoned vehicle being dismantled, destroyed, or disposed of by DSNY.

Send comments by

- **Email:** [\[email protected\]](#)
- **Mail:** New York City Department of Sanitation, Bureau of Legal Affairs, 125 Worth Street Room/Floor: 710 ; New York, New York 10013

Public Hearings

Attendees who need reasonable accommodation for a disability such as a sign language translation should contact the agency by calling [1 \(646\) 885-4996](tel:16468854996) or emailing [\[email protected\]](#) by **January 8, 2026**

Date

January 15, 2026

9:30am - 11:00am EST

Connect Virtually

<https://teams.microsoft.com/meet/23638037266417?p=IYZYkOFgje4IAtEUrD>

Meeting ID: 236 380 372 664 17 Passcode: RX3BT3Wf Dial in by phone +1 646-893-7101,,204970339# United States, New York City Phone conference ID: 204 970 339#
Disability Accommodation

Sign Language Interpretation

Comments are now closed.

Online comments: 3

Ida Vacca

is there
garbage pick up tomorrow

Comment added December 26, 2025 12:30pm

C. James Robert von Scholz SC

BY WEBSITE SUBMISSION / NO HARDCOPY SENT:

<https://rules.cityofnewyork.us/rule/notice-and-hearing-requirements-for-abandoned-vehicles/>

Submitted to: New York City Department of Sanitation (DSNY)

Attn: Bureau of Legal Affairs

Re: Commentary in Support Supporting DSNY's Proposed Rule Amendments for Abandoned Vehicle Notice and Hearing Requirements

To Whom it May Concern:

I submit this commentary in my capacity as a Registered Representative in matters before the Office of Administrative Trials and Hearings, the City's designated adjudicatory body, and in response to the Department of Sanitation of the City of New York's proposed amendments abandoned vehicle notice and hearing requirements.

Legal Framework and Charter Compliance

The Department of Sanitation's proposed amendments fully satisfy the procedural requirements of Section 1043 of the New York City Charter. The rulemaking follows proper notice and comment protocols and reflects a transparent, methodical approach to municipal governance. As confirmed by the accompanying certification, the proposal is written in plain language for the affected regulated community, minimizes compliance burdens, and expressly provides for public participation through a hearing process. In short, the agency has done what the Charter requires, and done it correctly, ensuring the rule's validity, enforceability, and administrative integrity.

Consistency with New York State Vehicle and Traffic Law

The proposed rule fits squarely within the framework of New York State Vehicle and Traffic Law § 1224(2), which defines abandoned vehicles as those left on a public street without license plates for more than six hours. Rather than expanding substantive authority, the rule meaningfully improves the statutory scheme by adding structured notice, hearing, and redemption procedures that were previously undeveloped at the administrative level.

Courts have long recognized that abandoned vehicle statutes exist to allow municipalities to remove vehicles that are eyesores and hazards from public streets. (See *Kenavan v. City of New York*, 267 A.D.2d 353, 700 N.Y.S.2d 69 (2d Dep't 1999).) The proposed amendments advance that legislative purpose while incorporating procedural protections that strengthen, not undermine, the statute's legitimacy.

Due Process and Procedural Fairness

Most importantly, the proposed rule materially enhances due process protections for vehicle owners and other interested parties. New York courts have made clear that due process requires prompt post-seizure hearings when vehicles are taken, recognizing that automobiles are often essential to employment, education, and daily life. (See *People v. Ramroop*, 50 Misc. 3d 1090, 27 N.Y.S.3d 811 (Crim. Ct. 2016).)

The rule addresses these constitutional concerns in a practical and well-calibrated way. Notice must be provided by certified mail or authorized email and must clearly explain redemption rights, applicable fees, and the availability of a hearing. Hearings must be scheduled within 72 hours of a request and may be conducted virtually, by phone, or in person. Final determinations must issue within five business days of the hearing, ensuring timely resolution and preventing unnecessary deprivation of property.

The ten-day redemption period strikes a reasonable balance. It affords owners sufficient time to respond while allowing the City to remove abandoned vehicles efficiently. When combined with the detailed notice and expedited hearing process, the rule comfortably satisfies due process standards.

Transparency and Administrative Efficiency

The amendments bring much-needed clarity to the abandoned vehicle process. Required notices must include a description of the vehicle, the date of removal, clear redemption instructions, and examples of acceptable ownership documentation. This level of specificity reduces confusion, prevents disputes, and allows affected individuals to act quickly and intelligently.

The use of virtual hearings improves accessibility while reducing administrative costs. Geographic, scheduling, and mobility barriers are minimized, without sacrificing fairness. Firm timelines (72 hours to schedule hearings and five days to issue determinations) provide predictability for owners and operational certainty for the agency.

Public Safety and Environmental Interests

The rule also advances legitimate public safety and environmental goals. Abandoned vehicles degrade neighborhood quality, create safety risks, and may attract criminal activity. Courts have consistently acknowledged the City's interest in removing these vehicles from public streets. (See *Kenavan*, supra.)

By streamlining procedures while preserving individual rights, the rule allows DSNY to act more efficiently and responsibly. The established fee structure (\$125 for towing and \$25 per day for storage for vehicles under 10,000 pounds) is transparent, predictable, and necessary to recover municipal costs associated with removal and storage.

Response to Potential Criticisms

Some may argue that a ten-day notice period is too short. In practice, it is reasonable and flexible. The period begins upon sending notice, not receipt, allowing additional time for delivery. Moreover, the ability to request a hearing tolls final disposition and preserves the vehicle pending resolution.

Concerns regarding fees are addressed directly through the hearing process, which expressly allows challenges to both the imposition and amount of towing and storage charges. Where appropriate, hearing officers may determine that an owner is entitled to redeem a vehicle without payment of any fees.

Questions about virtual hearings are likewise answered by the rule itself, which provides for phone or in-person hearings upon request. This approach maximizes access while maintaining administrative efficiency.

Benefits to the Public and the City

The proposed amendments benefit all stakeholders. Residents see faster removal of abandoned vehicles that detract from neighborhood safety and appearance. Vehicle owners receive clearer notice, stronger procedural protections, and accessible avenues to recover their property. The City gains a more efficient, defensible process that reduces litigation risk and improves cost recovery.

By clearly defining rights, responsibilities, and timelines, the rule minimizes disputes and fosters trust between the public and the agency.

Conclusion

DSNY's proposed amendments represent a thoughtful and legally sound improvement to the City's abandoned vehicle framework. They comply fully with Charter requirements, align with state law, enhance due process protections, and advance public safety objectives. The result is a balanced, practical rule that serves residents, protects property rights, and supports efficient municipal operations.

For these reasons, I strongly support adoption of the proposed amendments as written.

Respectfully Submitted

/s/ C. James Robert von Scholz
C. James Robert von Scholz SC
Dir. Tel. +1.212.444.2670
Dir. Fax. +1.212.590.6136
Email : [\[email protected\]](#)

[Comment attachment](#)

DSNY-Abandoned-Vehicles-01052026.pdf

Comment added January 5, 2026 3:32pm

Daniel Bersohn

There should be no notice required for the towing and storage of a vehicle without plates. City agencies should be authorized to immediately tow and store such a vehicle. The City should be permitted to work to sort out ownership after towing when plates are not displayed.

The City (DSNY, DOT, DOF or NYPD) should also immediately tow parked vehicles under any of the following conditions:

1. More than \$350 of fines in default.
2. Displaying permanent or temporary plates that are not recognized by New York State or another state or US territory's vehicle registration agency or which are valid but registered to a different vehicle.
3. Displaying an out of state plate, a temporary registration instrument, or a temporary plate that is more than 14 days past expiry. (Most of these are 30-90 days and NYS law requires registration within 30 days of moving in state. A 14 day grace period is more than enough.)
4. Displaying valid New York plates whose registration is more than 90 days past expiry.
5. Vehicles whose registration is suspended due to violations or defaults regardless of whether previously valid plates are attached.

Comment added January 7, 2026 4:53pm



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Monday, January 5, 2026

BY WEBSITE SUBMISSION / NO HARDCOPY SENT:

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B I R C H H I L L C H A M B E R S
115 Forest Avenue, Unit 61, Locust Valley, NY 11560

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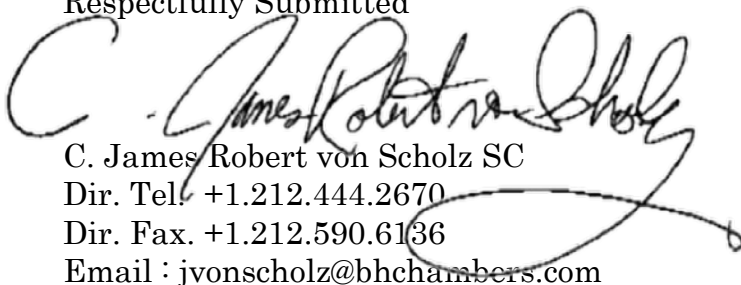
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cc : File

B I R C H H I L L C H A M B E R S
 115 Forest Avenue, Unit 61, Locust Valley, NY 11560

From: [Saida Conigliaro](#)
To: [NYC Rules \(DSNY\)](#)
Subject: [EXTERNAL] Abandoned vehicles
Date: Wednesday, December 17, 2025 8:07:42 AM

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION! EXTERNAL SENDER. Never click on links or open attachments if sender is unknown, and never provide user ID or password. If **suspicious**, report this email by hitting the **Phish Alert Button**. If the button is unavailable or you are on a mobile device, forward as an attachment to phish@oti.nyc.gov.

To whom it may concern:

It shouldn't be necessary to keep wasting time, efforts and money trying to find the owner of abandoned vehicles.

Thank you

Saida Conigliaro

"The only thing necessary for the triumph of evil is for good men to do nothing".