

N.Y. ADC. LAW § 19-169: NY Code -  
Section 19-169:

“Removal of vehicles parked in front of  
a private driveway”

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a. Subject to the provisions of this section an owner of a lot containing no more than two dwelling units, or his or her lessee, may cause any vehicle which is parked in front of his or her private driveway and which blocks the entry or egress of a vehicle from such property to be removed by a person licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty of the code, where a person authorized to issue a notice of parking violation has issued such a notice and affixed it to such unlawfully parked vehicle; the issuance of such a notice shall constitute authorization to the owner of such property, or his or her lessee, to arrange for removal of such unlawfully parked vehicle, and such removal shall be deemed to be at the request of the person who issued the notice.

b. Where the owner of such property, or his or her lessee, requests a police officer to arrange for removal of any such unlawfully parked vehicle, such vehicle shall be removed at the direction of the police department by the next available towing company participating in the rotation tow program established pursuant to section 20-519 of the code. Nothing in this section shall be construed to preclude an owner of such property, or his or her lessee, acting pursuant to this section, from arranging for the removal of such unlawfully parked vehicle by a tow operator of such person's choice. The commissioner of consumer affairs shall promulgate a regulation establishing performance standards for licensees in order to insure that vehicles summonsed under this section are towed as expeditiously as possible.

c.

1. No vehicle may be removed pursuant to this section without the express written authorization issued to a person licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty of the code by the owner of such property, or his or her lessee. Such authorization shall include the location of the vehicle to be removed, the make, model, color and license plate number of such vehicle and a statement that such vehicle was removed pursuant to a notice of parking violation and shall be signed by the owner of such property, or his or her lessee, prior to removal.

2. A vehicle may not be removed if any person occupies it.

3. Notwithstanding any other provision of law, a vehicle which is removed shall be taken directly to a facility for storage maintained by the person licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty of the code who has removed such vehicle and which is within ten miles from the point of removal. If no such facility is available, the closest available facility for storage maintained by a person so licensed shall be utilized. Such facility for storage must be a secure place for safekeeping vehicles.

4. Any person who removes a vehicle pursuant to this section shall within thirty minutes of the vehicle's arrival at a facility for storage notify the local police precinct having jurisdiction over the area of such removal of the storage site, the time the vehicle was removed, the location the vehicle was

removed from, the make, model, color and license plate number of the vehicle, the name of the person who signed an authorization for the removal and the fact that such vehicle was removed pursuant to a notice of parking violation and shall obtain the name of the person at such police precinct to whom such information was reported and note such name on a trip record together with the date and time that the vehicle was removed.

5. If the registered owner or other person in control of the vehicle arrives at the scene prior to removal of the vehicle and such vehicle is connected to any apparatus for removal, the vehicle shall be disconnected from such apparatus and such person shall be allowed to remove the vehicle without interference upon payment of a reasonable service fee of not more than one-half of the charge allowed for removal as provided in paragraph eight of this subdivision, for which a receipt shall be given.

6. The registered owner or other person in control of a vehicle which has been removed pursuant to this section shall have the right to inspect the vehicle before accepting its return. No release or waiver of any kind, which would release the person or company removing the vehicle from liability for damages, may be required from any such owner or other person as a condition of release of the vehicle to such person. A detailed, signed receipt showing the legal name of the person or company removing the vehicle must be given to the person paying the removal and storage charges at the time of payment.

7. Any person who removes a vehicle pursuant to this section shall comply with the notice provisions of subdivision two of section one hundred eighty-four of the lien law.

8. Notwithstanding the charges permitted to be collected under subdivision c of section 20-519 of this code, a person who removes a vehicle pursuant to section 19-169 of this code may collect the following charges from the owner or other person in control of such vehicle, payable before the vehicle is released: one hundred dollars for removal and the first three days of storage; ten dollars per day for storage thereafter, except that no charge may be collected for removal or storage of a vehicle pursuant to this section by a person who is not licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty of the code.

To law enforcement, firefighting, rescue squad, ambulance, or other emergency vehicles which are marked as such.

10. When an owner of property, or his or her lessee, improperly causes a vehicle to be removed, such person shall be liable to the owner or other person in control of the vehicle for the cost of removal, transportation and storage and for any damage resulting from the removal, transportation and storage of the vehicle.

d. No person licensed pursuant to subchapter thirty-one of chapter two of title twenty of the code shall refuse, without justifiable grounds, a request by any person acting pursuant to this section to remove a vehicle unlawfully blocking a private driveway. Any person who violates

this subdivision shall be punished as follows: for the first violation, a fine of one hundred dollars; for the second violation within a period of twelve months of the date of a first violation, a fine of two hundred dollars; and for any additional violations within a period of twenty-four months of the date of a first violation, a fine of five

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