

STATE OF NEW YORK

8858--A

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

Introduced by M. of A. ROMERO, WEPRIN, YEGER -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to setting maximum rates that may be charged for the towing and subsequent storage of a motor vehicle

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general business law is amended by adding a new section
2 399-xxx to read as follows:

3 § 399-xxx. Passenger car towing rates. 1. (a) For the purposes of this
4 section, a "passenger car" is a vehicle with a maximum gross vehicle
5 weight under forty-five hundred pounds.

6 (b) Except as provided in subdivision two of this section or any other
7 provision of law, charges for the towing of passenger vehicles shall not
8 exceed one hundred dollars plus all tolls required to be paid while
9 towing the vehicle. If a motor vehicle has been booted by a person duly
10 licensed to do so in a private lot and such vehicle is subsequently
11 towed, no additional charge may be imposed for the towing of such vehi-
12 cle.

13 (c) The rates in this section shall not apply to the towing of motor
14 vehicles pursuant to a contract which was in existence prior to the need
15 for the towing of such vehicles, provided that such motor vehicles are
16 either owned or leased by the person who entered into such contract.

17 (d) The provisions of this section shall not apply to cities having a
18 population of one million or more.

19 2. Charges for the towing of disabled passenger vehicles from an
20 arterial roadway by an arterial tow permittee shall be one hundred twen-
21 ty-five dollars for the first ten miles or fraction thereof, four

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 dollars for each additional mile or fraction thereof, and all tolls
2 required to be paid while towing such vehicle.

3 3. Except as otherwise provided, charges for storage of towed vehicles
4 shall not exceed twenty-five dollars for each twenty-four-hour period or
5 fraction thereof for the first three days of storage and twenty-seven
6 dollars for the fourth day of storage and each day thereafter.

7 4. (a) Where unusual preparation is required before a vehicle can be
8 towed, additional charges may be imposed not to exceed twelve dollars
9 per tow truck for each quarter hour or part thereof, provided, however,
10 that no such charge may be imposed or collected for the towing of a
11 vehicle involved in an accident from the scene of such accident. Unusual
12 preparation includes winching or righting a vehicle or any other prepa-
13 ration necessary to put the vehicle in a position where it can be hooked
14 or raised to the tow truck.

15 (b) Notwithstanding paragraph (a) of this subdivision, a towing compa-
16 ny which has towed a vehicle to its storage facilities may charge an
17 additional amount not to exceed twenty-five dollars for the positioning
18 of such vehicle for removal from such storage facilities by the tow
19 truck of another towing company that is capable of towing three or more
20 vehicles simultaneously.

21 5. (a) A tow truck company shall not require the payment of any fee or
22 charge for towing and storage of a vehicle, or any fee or charge direct-
23 ly or indirectly related to towing and storage of a vehicle, that is not
24 specifically authorized by law or rule.

25 (b) A charge for the towing and storage of vehicles shall not be
26 imposed by any person who does not have a license to engage in towing,
27 as required by section five hundred one of the vehicle and traffic law,
28 or whose vehicle is not registered as a tow truck, as required by
29 section four hundred one-b of the vehicle and traffic law, at the time
30 that the towing and storage services are performed.

31 6. Any entity that violates the provisions of this section shall be
32 subject to a civil penalty of up to five hundred dollars for each
33 violation.

34 § 2. The general business law is amended by adding a new section 399-
35 xxxx to read as follows:

36 § 399-xxxx. Large vehicle towing rates. 1. (a) For the purposes of
37 this section, a "large vehicle" is a vehicle with a gross vehicle weight
38 exceeding forty-five hundred pounds.

39 (b) The rates in this section shall not apply to the towing of motor
40 vehicles pursuant to a contract which was in existence prior to the need
41 for the towing of such vehicles, provided that such motor vehicles are
42 either owned or leased by the person who entered into such contract.

43 (c) The provisions of this section shall not apply to cities having a
44 population of one million or more.

45 2. (a) For a vehicle with a maximum gross vehicle weight exceeding
46 forty-five hundred pounds but not exceeding ten thousand pounds, the
47 rate for the preparation, hoist and tow, including the first mile or
48 fraction thereof, shall not exceed one hundred twenty-five dollars. The
49 rate per each additional mile shall not exceed five dollars. The rate of
50 subsequent storage shall not exceed thirty-five dollars per twenty-four-
51 hour period.

52 (b) For a vehicle with a maximum gross vehicle weight exceeding ten
53 thousand pounds but not exceeding eighteen thousand pounds, the rate for
54 the preparation, hoist and tow, including the first mile or fraction
55 thereof, shall not exceed one hundred seventy-five dollars. The rate per
56 each additional mile shall not exceed ten dollars. The rate for the use

1 of an under-lift shall not exceed fifty dollars. The rate of subsequent
2 storage shall not exceed fifty dollars per twenty-four-hour period.

3 (c) For a vehicle with a maximum gross vehicle weight exceeding eigh-
4 teen thousand pounds but not exceeding twenty-six thousand pounds, the
5 rate for the preparation, hoist and tow, including the first mile or
6 fraction thereof, shall not exceed two hundred fifty dollars. The rate
7 per each additional mile shall not exceed ten dollars. The rate for the
8 use of an under-lift shall not exceed fifty dollars. The rate of subse-
9 quent storage shall not exceed fifty dollars per twenty-four-hour peri-
10 od.

11 (d) For a vehicle with a maximum gross vehicle weight exceeding twen-
12 ty-six thousand pounds, the rate for the preparation, hoist and tow,
13 including the first mile or fraction thereof, shall not exceed three
14 hundred dollars. The rate per each additional mile shall not exceed ten
15 dollars. The rate for the use of an under-lift shall not exceed one
16 hundred dollars. The rate of subsequent storage shall not exceed seven-
17 ty-five dollars per twenty-four-hour period.

18 3. (a) A tow truck company shall not require the payment of any fee or
19 charge for towing and storage of a vehicle, or any fee or charge direct-
20 ly or indirectly related to towing and storage of a vehicle, that is not
21 specifically authorized by law or rule.

22 (b) A charge for the towing and storage of vehicles shall not be
23 imposed by any person who does not have a license to engage in towing,
24 as required by section five hundred one of the vehicle and traffic law,
25 or whose vehicle is not registered as a tow truck, as required by
26 section four hundred one-b of the vehicle and traffic law, at the time
27 that the towing and storage services are performed.

28 4. Any entity that violates the provisions of this section shall be
29 subject to a civil penalty of up to five hundred dollars for each
30 violation.

31 § 3. This act shall take effect immediately.