

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.

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.	<input type="checkbox"/> Yes
2 DCA’s new combined license and complaint sign must be posted where all customers can see it. Note: DCA combined the license and the complaint sign, previously separate documents, into one consolidated sign. New licensees and licensees that renew after October 15, 2013 will receive the new sign. Renewing licensees must remove the old license document and complaint sign that DCA previously provided and post the new combined sign. For more information about this regulation, go to nyc.gov/consumers .	<input type="checkbox"/> Yes
3 The business phone number that you list on your DCA license application must be working at your business premises.	<input type="checkbox"/> Yes
4 Your business must accept at least two major credit cards (MasterCard, Visa, American Express, or Discover).	<input type="checkbox"/> Yes
Signs	
5 An information sign must be clearly displayed where payment is made and list all of the following: <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) 	<input type="checkbox"/> Yes

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Requirement	Do you meet this requirement?
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>	<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>	<input type="checkbox"/> Yes
<p>8 The truck must have valid tow truck plates from the Department of Motor Vehicles.</p>	<input type="checkbox"/> Yes
<p>9 The Gross Vehicle Weight Rating (GVWR) must be 8,600 pounds or heavier.</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>	<input type="checkbox"/> Yes
<p>11 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. 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. Tip: The decals cannot be a magnet.</p>	<input type="checkbox"/> Yes
<p>12 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>	<input type="checkbox"/> Yes
<p>13 The winch, crane, or wheel lift must be operational and the amber lights of the truck must be removable and operational.</p>	<input type="checkbox"/> Yes

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14	DARP and ROTOW participants must have at least two tow trucks. Tip: For DARP participants, one of the tow trucks must be a flatbed. Tip: ROTOW participants must have equipment to tow vehicles that have damaged or missing wheels.	<input type="checkbox"/> Yes
15	Trucks must have a current New York State Inspection Sticker affixed to the windshield.	<input type="checkbox"/> Yes

Requirements for DARP and ROTOW participants:

Requirement		Do you meet this requirement?
Books and Records		
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: <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 ROTOW participants must also record: <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
Storage Facility		
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.	<input type="checkbox"/> Yes
18	The storage facility must be indoors or a lighted, fenced-in outdoor facility with a locked gate.	<input type="checkbox"/> Yes
19	A bathroom and telephone must be available to the public.	<input type="checkbox"/> Yes
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.	<input type="checkbox"/> Yes

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21	The total area of the storage facility and auxiliary lot must be at least: <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												
22	Two tow companies cannot share the same space. The businesses must be separated by a physical separation, such as a fence.	<input type="checkbox"/> Yes												
Authorization Forms														
23	An authorization to tow form (or tow receipt) is required for every tow, and it must contain all of the following: <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 	<input type="checkbox"/> Yes												
24	The tow authorization form must contain all of the following: <table border="1" data-bbox="215 1184 1248 1940" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="215 1184 781 1268">AUTHORIZATION TO TOW</td> <td data-bbox="781 1184 1248 1268">Bold 12 point font at the top of the document</td> </tr> <tr> <td data-bbox="215 1268 781 1352">I DIRECT THAT THE VEHICLE BE TOWED TO THE FOLLOWING LOCATION</td> <td data-bbox="781 1268 1248 1352">Bold 12 point font with enough space below it to fill in a location</td> </tr> <tr> <td data-bbox="215 1352 781 1436">NOTICE TO CONSUMER</td> <td data-bbox="781 1352 1248 1436">Bold at least 12 point font above the signature portion of the document</td> </tr> <tr> <td data-bbox="215 1436 781 1583">I AUTHORIZE THE TOWING AND, WHERE APPLICABLE, THE STORAGE OF THE ABOVE VEHICLE TO THE LOCATION AS SPECIFIED ABOVE</td> <td data-bbox="781 1436 1248 1583">Bold 12 point font and placed immediately after the "Notice to Consumer" statement</td> </tr> <tr> <td data-bbox="215 1583 781 1793">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 1583 1248 1793">This must be placed immediately below the signature line</td> </tr> <tr> <td data-bbox="215 1793 781 1940">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 1793 1248 1940">This statement must be placed at the bottom of the page</td> </tr> </table> <p data-bbox="232 1955 1008 1986">Tip: A model form is available online at nyc.gov/BusinessToolbox.</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



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Mayor

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**Department of
Consumer Affairs**

Julie Menin
Commissioner

Visit nyc.gov and
search “Business
Toolbox”

Contact 311
(212) NEW-YORK
(Outside NYC)

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:

	Requirement	Do you meet this requirement?
	Price Lists for Services	
1	A price list with the types of services and the prices of those services must be displayed.	<input type="checkbox"/> Yes
2	The price list must be clearly posted or clearly displayed near the cash register and/or at the place(s) where orders are placed.	<input type="checkbox"/> Yes
3	If the price list states a minimum charge (e.g., “from \$. . .”) or states a price “and up,” it must state the reason for the different prices and include the range of prices.	<input type="checkbox"/> Yes
4	If there is a sale or promotion, the pre-sale prices must also be posted for comparison.	<input type="checkbox"/> Yes
5	<p>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; the difference must be described in a gender neutral way. (Example: Above the shoulder hair = \$15; Below the shoulder hair = \$30)</p> <p>Tip: Instead of listing prices for shirts and blouses, the price must be described based on physical differences between the shirts. (Example: sequins, ruffles, fancy buttons)</p>	<input type="checkbox"/> Yes
	Pricing for Goods	
6	All items offered for sale must have a clearly visible price.	<input type="checkbox"/> Yes
7	For most items, the price must be attached to the item or on a sign where the item is displayed.	<input type="checkbox"/> Yes
8	If your store’s annual revenue is more than \$2 million or you are a chain store, you must individually price most food products, as well as paper products, detergents, soaps, nonprescription drugs, and health and beauty aids.	<input type="checkbox"/> Yes
9	Milk; eggs; fresh produce; snack foods that are less than 5 ounces; frozen foods; jars of baby food; and items that are less than 3 cubic inches, under 3 ounces and under \$1 do not have to be individually priced, but must have shelf prices.	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

	Requirement	Do you meet this requirement?
	Signs	
10	<p>Sale signs that advertise a percent discount—example: 20-50% off—must state the minimum percent discount.</p> <p>Tip: Both the minimum and maximum numbers must be of equal size.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>	<input type="checkbox"/> Yes
11	<p>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” 	<input type="checkbox"/> Yes
12	<p>Businesses that sell goods and services must post a refund policy.</p> <p>Tip: A refund policy must be posted at each register, point of sale, or at each entrance.</p> <p>Tip: Even if the policy is not to give refunds, a sign must be posted stating “No Refunds.”</p>	<input type="checkbox"/> Yes
13	<p>The refund policy must state any and all conditions or limitations to getting a refund. For example:</p> <ul style="list-style-type: none"> ■ Businesses must disclose any fees charged for refunds, such as “restocking fees.” ■ If a business will not provide refunds for “as is” items, it must disclose that. ■ Businesses must also disclose whether the refund will be in cash, credit, or store credit only. ■ If proof of purchase is required for a refund, the sign must say so. ■ A business that chooses not to offer refunds must post a sign that states, “No Refund,” or words to that effect. ■ The sign must state that a written copy of the store’s refund policy is available on request. 	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

	Requirement	Do you meet this requirement?
14	If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted near the register and the entrance.	<input type="checkbox"/> Yes
	Receipts	
15	Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20. Tip: This does not apply to food and drink that is meant to be consumed on the premises.	<input type="checkbox"/> Yes
16	The receipt must include each of the following: <ul style="list-style-type: none"> ■ Date of purchase ■ Amount paid for each item ■ Total amount paid ■ Separate statement of tax ■ Name and address of store 	<input type="checkbox"/> Yes
17	Receipts for electronics that cost more than \$100 must also include the make and model number of the item.	<input type="checkbox"/> Yes
	Price Accuracy	
18	When items are scanned, the price must match the lowest item price, shelf price, sale price, or advertised price.	<input type="checkbox"/> Yes
19	If no scanners are used, the price at checkout must still match the lowest item price, shelf price, sale price, or advertised price.	<input type="checkbox"/> Yes
20	Tax cannot be charged on tax-exempt items. Tip: Check with the New York State Department of Taxation and Finance for a complete list of which items are exempt.	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

	Requirement	Do you meet this requirement?
	Layaway Plans	
21	<p>If layaway is offered, each of the following written disclosures must be provided to consumers prior to accepting any payments over \$50 in 4 installments or more:</p> <ul style="list-style-type: none"> ■ Description of the item, including name, brand, color, and model number ■ Total cost of the item including tax ■ Charge to use layaway and any cancellation fee ■ Duration of the layaway plan ■ Payment schedule and any consequences of missed payments ■ Refund policy ■ Notice of whether or not the item won't be removed from inventory until a certain number of payments have been made <p><i>Example 1:</i> NOTICE: NO MERCHANDISE WILL BE REMOVED FROM INVENTORY UNTIL X% OF THE PURCHASE PRICE HAS BEEN PAID.</p> <p><i>Example 2:</i> ATTENTION: YOUR SELECTION OF MERCHANDISE WILL NOT BE ORDERED UNTIL YOU HAVE MADE YOUR NEXT TO FINAL PAYMENT.</p>	<input type="checkbox"/> Yes
	Expired Over-the-counter Medication	
22	It is illegal to sell over-the-counter medication after the expiration date on the label.	<input type="checkbox"/> Yes