

New York City Department of Sanitation
Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? DSNY is proposing to amend its rules relating to notice and hearing requirements for owners, lessors, lienholders and other interested parties of certain abandoned vehicles removed pursuant to the New York State Vehicle and Traffic Law.

When and where is the hearing? DSNY will hold a public hearing on the proposed rule. The public hearing will take place via Microsoft Teams at 9:30AM on January 15, 2026, on Microsoft Teams using the following link:

<https://teams.microsoft.com/meet/23638037266417?p=IYZYkOFgje4lAtEUrD>

Meeting ID: 236 380 372 664 17

Passcode: RX3BT3Wf

Dial in by phone

[+1 646-893-7101](tel:+16468937101), [204970339](tel:+1204970339) United States, New York City

Phone conference ID: 204 970 339#

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DSNY through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to nycrules@dsny.nyc.gov.
- **Mail.** You can mail written comments to DSNY, 125 Worth Street, Room 710, New York, NY 10013.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing mliquori@dsny.nyc.gov by January 14, 2026. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we

prefer that you sign-up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit comments? The deadline for submitting written comments shall be January 15, 2026.

What if I need assistance to participate in the hearing? You must tell the Bureau of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us or by telephone at 646-885-4996. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by January 8, 2026.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at 125 Worth Street, Room 710, New York, NY 10013 and on DSNY’s website.

What authorizes DSNY to make this rule? Section 16-128 of the New York City Administrative Code and sections 753 and 1043(a) of the New York City Charter authorize DSNY to make this proposed rule. This proposed rule was not included in DSNY’s regulatory agenda for this Fiscal Year because it was not contemplated when DSNY published the agenda.

Where can I find the DSNY’s rules? DSNY’s rules are in Title 16 of the Rules of the City of New York.

What laws govern the rulemaking process? DSNY must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

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.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision (j) of section 1-05 of Title 16 of the Rules of the City of New York is amended to read as follows:

(j) The procedures outlined in the preceding subdivisions of this section shall not apply to worthless, derelict, abandoned vehicles reported to the Department of Sanitation by the Police Department and other such unidentifiable property found on the streets. The Commissioner or his duly authorized representative is hereby empowered to declare any such derelict property as worthless and valueless and, in accordance with the procedures set forth in section 1-05.2 of this chapter, is authorized to dispose of such property at Department of Sanitation disposal points or, in [his] their discretion, to have such derelict vehicles and other worthless property removed and disposed of by private contractors.

§ 2. Chapter 1 of Title 16 of the Rules of the City of New York is amended by adding a new section 1-05.2 to read as follows:

§ 1-05.2 Procedures for Abandoned Vehicles.

(a) Definitions. For the purposes of this section, the following terms have the following meanings:

Abandoned vehicle. The term “abandoned vehicle” means a motor vehicle as described in subdivision 2 of section 1224 of the New York State Vehicle and Traffic Law.

Interested party. The term “interested party” means any lienholder or other person with a legal claim or security interest in an abandoned vehicle.

Owner. The term “owner” means a registered owner, including a lessor, of an abandoned vehicle.

(b) Notice.

(1) After the Department removes an abandoned vehicle bearing a vehicle identification number or other information that may be used to ascertain an owner or interested party, other than a motor vehicle license plate, the Department shall use best efforts to ascertain the name and address of any such owner or interested party of such vehicle.

(2) The Department shall notify any owner or interested party the Department ascertains pursuant to paragraph (1) of this subdivision that the Department has determined that the vehicle is abandoned pursuant to subdivision 2 of section 1224 of the New York State Vehicle and Traffic Law, that the Department has removed the abandoned vehicle, and that such vehicle is held in storage. The Department shall provide such notice by certified mail, return receipt requested; provided that the Department may send such notice by email to any such owner or interested party who has authorized the Department to provide such notice by email.

(3) Notice pursuant to this subdivision shall include:

(i) a brief description of the abandoned vehicle;

(ii) the date of removal;

(iii) instructions on how an owner or interested party may redeem the vehicle in accordance with subdivision (d) of this section;

(iv) the applicable rates for towing and the rate per day for storage as set forth in subdivision (f) of this section;

(v) instructions on how to request a hearing, in accordance with subdivision (e) of this section, to challenge the removal of such vehicle by the Department and/or the imposition or amount of any towing or storage fees;

(vi) examples of documents to submit to the Department to demonstrate that an owner or interested party is entitled to redeem such vehicle; and

(vii) a statement of the Department’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 owner or interested party presents proof to the Department establishing lawful

entitlement to possession of such vehicle and pays applicable fees in accordance with paragraph (2) of subdivision (d) of this section, or requests a hearing in accordance with paragraph (1) of subdivision (e) of this section.

(c) An owner or interested party of an abandoned vehicle removed by the Department may: (i) redeem such vehicle pursuant to subdivision (d) of this section, or (ii) within 10 calendar days of the date the Department sends notice pursuant to subdivision (b) of this section, challenge the removal of such vehicle and/or the imposition or amount of any fees imposed pursuant to subdivision (e) of this section.

(d) Procedure for Redemption of Vehicle.

(1) An owner or interested party that is lawfully entitled to possession of an abandoned vehicle removed by the Department may redeem and obtain possession of such vehicle in accordance with this subdivision.

(2) Except as provided in paragraph (3) of this subdivision, such an owner or interested party must, no later than 10 calendar days after the Department sends notice pursuant to subdivision (b) of this section:

(i) submit to the Department, in a form and manner specified by the Department in such notice, adequate proof, including but not limited to, registration, title, or proof of lien, to establish that such owner or interested party is lawfully entitled to redeem possession of an abandoned vehicle removed by the Department; and

(ii) make payment to the Department or a vendor contracted by the Department, as directed by the Department, for all applicable towing and storage fees as set forth in subdivision (f) of this section.

(3) An owner or interested party that, pursuant to subdivision (e) of this section, has received a final hearing determination entitling such owner or interested party to redeem possession of an abandoned vehicle must, no later than 10 calendar days after the Department issues such final hearing determination, make payment to the Department or a vendor contracted by the Department, as directed by the Department, for all applicable towing and storage fees as set forth in subdivision (f) of this section.

(4) Upon acceptance of payment of applicable towing and storage fees pursuant to subparagraph (ii) of paragraph (2) or paragraph (3) of this subdivision, the Department shall notify the owner or interested party lawfully entitled to possession of the vehicle, in writing, of the location of the vehicle and provide written instructions regarding how such owner or

interested party may obtain possession of such vehicle. Such notification shall state: that the vehicle must be removed within 2 business days of such notification; that the failure to remove such vehicle within such time period may result in the imposition of additional storage fees; and that the failure to remove such vehicle within 10 calendar days of such notification may result in the dismantling, destruction, or disposal of such vehicle.

(5) If such owner or interested party lawfully entitled to possession of the vehicle does not remove such vehicle within 10 calendar days of the notification provided pursuant to paragraph (4) of this subdivision, the Department may dismantle, destroy, or otherwise dispose of such vehicle pursuant to section 1224 of the New York State Vehicle and Traffic Law.

(e) Procedure to Challenge the Removal of a Vehicle and/or Fees Imposed.

(1) An owner or interested party of an abandoned vehicle removed by the Department may, within 10 calendar days of the date the Department sends notice pursuant to subdivision (b) of this section, in accordance with the instructions provided on such notice, request a hearing to challenge the removal by the Department of such abandoned vehicle and/or the imposition or amount of any fees imposed for storage and/or removal of such vehicle.

(2) The Department will schedule a hearing within 72 hours of such a request.

(3) The Department shall conduct such hearing virtually, provided that an owner or interested party may request a reasonable accommodation for the Department to conduct such hearing by others means, including, but not limited to, a phone call or an in-person hearing.

(4) At such hearing, an owner or interested party must present, in a form and manner specified by the Department, adequate proof, including but not limited to, registration, title, or proof of lien, to establish that such owner or interested party is lawfully entitled to redeem possession of the subject abandoned vehicle.

(5) Notwithstanding any provision of this section to the contrary, if 2 or more owners or interested parties claim that they are lawfully entitled to redeem possession of an abandoned vehicle removed by the Department, all such owners and interested parties shall be party to a hearing conducted pursuant to this subdivision. All parties to such hearing shall have the opportunity to provide testimony and submit evidence relating to the removal of the vehicle and/or the imposition or amount of fees.

(6) The Department's Legal Division shall review any testimony or evidence submitted at such hearing and, within 5 business days of such hearing, the Department shall issue a hearing determination and provide a copy of such determination to any owner or interested party who attended the hearing by email. Such determination shall be a final hearing determination.

(7) Upon a finding in a final hearing determination that removal of an abandoned vehicle was proper and that an owner or interested party is lawfully entitled to redeem possession of such vehicle, such owner or interested party may redeem such vehicle in accordance with paragraphs (3) and (4) of subdivision (d) of this section.

(8) (i) Upon a finding in a final hearing determination that an owner or interested party is lawfully entitled to redeem possession of such vehicle without payment of any towing or storage fees, such determination shall state, in writing, the location of the vehicle, and shall include written instructions regarding how such owner or interested party may obtain possession of such vehicle. Such final hearing determination shall further state: that the vehicle must be removed within 2 business days of the issuance of such determination; that the failure to remove such vehicle within such time period may result in the imposition of additional storage fees; and that the failure to remove such vehicle within 10 calendar days may result in the dismantling, destruction, or disposal of such vehicle.

(ii) If such an owner or interested party does not remove such vehicle within 10 calendar days of a final hearing determination issued pursuant to this paragraph, the Department may dismantle, destroy, or otherwise dispose of such vehicle pursuant to section 1224 of the New York State Vehicle and Traffic Law.

(f) Applicable Towing and Storage Fees.

(1) For vehicles registered at 10,000 pounds or less, the following fees will be charged:

(i) \$125 for towing;

(ii) \$25 per day for storage for each of the first three days of storage (or part thereof), including the day that such vehicle is removed;

(iii) \$27 per day for storage for each subsequent day of storage (or part thereof), up to and including the day on which an interested party removes such vehicle; and

(iv) any taxes imposed by law.

(2) For vehicles registered at more than 10,000 pounds, the following fees will be charged:

(i) \$370 for towing;

(ii) \$20 per day (or part thereof) for storage, including the day that such vehicle is removed; and

(iii) any taxes imposed by law.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Rules Relating to Notice and Hearing Requirements for Owners, Lessors, and Lienholders of Abandoned Vehicles

REFERENCE NUMBER: DSNY-54

RULEMAKING AGENCY: Department of Sanitation

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

Is understandable and written in plain language for the discrete regulated community or communities;

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) The rule provides the opportunity for a hearing.

/s/ Francisco X. Navarro
Mayor's Office of Operations

December 11, 2025
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Rules Relating to Notice and Hearing Requirements for Owners, Lessors, and Lienholders of Abandoned Vehicles

REFERENCE NUMBER: 2025 RG 097

RULEMAKING AGENCY: Department of Sanitation

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: December 11, 2025