

New York City Department of Sanitation
Notice of Adoption of Final Rule Relating to Notice and Hearing Requirements for
Abandoned Vehicles

NOTICE IS HEREBY GIVEN in accordance with the requirements of sections 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation (DSNY) by sections 753 and 1043(a) of the New York City Charter that DSNY adopts the following rule 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. DSNY published a Notice of Opportunity to Comment on the proposed rule in the *City Record* on December 16, 2025. On January 15, 2026, DSNY held a public hearing on the proposed rule. DSNY received written and oral comments before and during the hearing. After considering the comments that were submitted, DSNY did not make any changes to the rule in response. DSNY made one change to the rule to add an effective date of March 16, 2026.

Statement of Basis and Purpose of 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 rule sets 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 rule also establishes 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 rule:

- (1) Establishes a notice process by which DSNY will 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) Provides 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) Describes the procedure by which an abandoned vehicle can be redeemed.
- (4) Sets 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) States the applicable towing and storage fees based on the weight of a vehicle.

This rule will 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.

§ 3. This rule takes effect on March 16, 2026.