

Chapter 136

TOWING

[HISTORY: Adopted by the Board of Trustees of the Village of Saddle Rock 3-3-1993 by L.L. No. 1-1993. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 126.

Vehicles and traffic — See Ch. 142.

§ 136-1. Findings.

It is hereby declared and found that it is of vital importance to the traveling public that disabled vehicles are removed from the highways as promptly as possible; that any delay in such removal may result in retarding the movement of traffic unnecessarily and may cause street accidents; and that the towing of motor vehicles from public highways and private property within the village is a matter affecting the public interest and, consequently, should be subject to supervision and administrative control for the purpose of safeguarding the public against fraud and the imposition of exorbitant towing charges or any similar abuse.

§ 136-2. Definitions.

Unless otherwise expressly provided, for the purposes of this chapter, the following words shall have the meanings herein indicated:

DRIVER — Any person driving a tow truck for hire within the village.

OPERATE — The control and direction of the use of a vehicle for towing to or from places within the village.

OWNER — A person owning, leasing or controlling one or more tow trucks or driving, operating or causing any such vehicle to be operated for hire within the village.

PERSON — An individual, partnership, corporation, association or other entity.

SOLICIT — To entreat, to approach with a request or plea, to urge strongly, to accost or to try to obtain by asking.

TOWING — The moving or removing of a disabled or abandoned motor vehicle by another vehicle for hire.

TOW TRUCK — A vehicle which either is towing or is equipped with a crane, winch or similar device designed to raise, remove, push, pull or carry a motor vehicle or the front or rear end thereof. For the purposes of this definition, the following shall not be considered a "tow truck":

- A. A vehicle owned or operated by a governmental agency.
- B. A vehicle being used exclusively for towing motor vehicles which are owned, leased or

operated by the owner or lessee of the towing vehicle or by a person affiliated with the owner or lessee of the towing vehicle, and which towing vehicle has legibly inscribed on each of its sides, in letters no less than three inches high, the legend "not for public hire."

§ 136-3. License required.

- A. It shall be unlawful for any person to operate any tow truck owned or controlled by such person or permit the same to be operated within the village without first having obtained and then having in force an owner's license therefor issued by the Town of North Hempstead.
- B. It shall be unlawful for any person to operate a tow truck for hire within the village as a driver or in connection therewith unless such driver shall first have obtained and then have in force a license issued by the Town of North Hempstead.
- C. It shall be unlawful for any person to operate any tow truck for hire in the village as a driver or in any other capacity unless such operation is performed in such manner and under such circumstances as would be lawful if it were conducted in an unincorporated area of the Town of North Hempstead.

§ 136-4. Solicitation prohibited.

- A. It shall be unlawful for any person to drive along any street or bridge in the village and solicit towing work or solicit towing work in any public place in the village.
- B. It shall be unlawful for any operator, driver or other occupant of a tow truck to solicit towing work while parked or standing on any street or bridge in the village.
- C. It shall be unlawful for any tow truck operator or driver to stop, stand or park at the scene of an accident or disabled or abandoned motor vehicle without lawfully having been requested or notified by the police to do so. Responding to a call upon notification from gas station attendants, taxicab drivers or other persons not legally authorized to provide such notification shall be in violation of this section.