

# How to Avoid City Tickets

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There is little doubt that cities and municipalities around the country are looking for ways to balance their budgets. In doing so, they are very aware that significant income can be derived from issuing traffic and parking tickets — with trucks a favorite target. And as trucking company owners know all too well, there are a number of expensive violations specific to their industry.

Businesses that depend on trucks and delivery vans to move their products into the city or render services in urban areas, rather than just driving around them, are particularly susceptible to this trend. Those that need to travel along the congested streets and highways of New York City and its surrounding counties are most vulnerable of all, in my opinion, but the situation is equally difficult in any crowded city where parking is scarce and trucks generally are unwelcome, particularly during rush hour.

It's not just parking and moving violations at issue. Those are a nuisance, but truck tickets for infractions such as overweight, overlength and unsecured loads can wreak havoc with your bottom line as they carry hefty fines and prevent your drivers from performing their work efficiently.

Worse yet, for some truck violations, the police officer may be able to remove your commercial vehicle from service — cargo and all — on the grounds it is too dangerous to be on the road.

And as a final annoyance, when truck tickets are issued to a corporate entity, an owner or other employee cannot simply appear in court on behalf of the company (even to plead guilty). Rather, legal counsel must be retained to represent the company.

Companies with fleets of trucks and vans operating in urban areas should pay attention to the maintenance and operation of their vehicles in order to avoid receiving these types of summonses. Below are a few pointers to help lessen the chances your company will be slapped with a violation.

- **Keep your fleet in proper working order.** Keeping a close eye on your trucks and vans and making sure all equipment is in proper working order will avoid police stops and inspections. Items that often result in truck ticket violations when noticed by an alert police officer are broken or missing mud flaps, broken or inoperable taillights, missing fire extinguishers, faulty brakes or an inoperable horn. A truck with an equipment violation is an open invitation for a police stop — and then even more violations might be found.

- **Make sure your drivers know their truck routes,** including the legal peculiarities of urban areas they find themselves traversing. When driving around Manhattan and the other four boroughs of

New York City, for example, drivers must chart a course that stays within approved routes for truckers. In fact, drivers tackling New York City need to be aware that commercial vehicles may not use its parkways.

Likewise, if a driver needs to venture off a truck route to make a pickup or delivery, he should have a bill of lading (or other documentation) with him so, if needed, he can show it to a police officer and avoid a truck-route violation. In New York, tickets carry two points for each violation, and fines escalate for a company the more frequently they are incurred. The first fine is \$200, and then it goes to \$500 for a second conviction. It's a good idea to make sure your drivers know the fee amounts for violations in any cities they have to go through instead of around.

- **Secure your loads.** Make sure loose cargo is secured properly with a tarp or other device or within a container. Trucks with shifting cargo or falling debris are dangerous and always will be stopped by law enforcement if observed.

- **Make sure commercial vehicles are properly marked.** Commercial trucks and vans should be properly lettered on both sides of the vehicle, including the company name and address. Again, this is an easy violation for an officer to observe and, after your vehicle is stopped, a full inspection likely will be conducted.

- **Do not operate overweight vehicles.** Commercial vehicles should operate only at weights authorized by their registration or by a separately issued permit. Exceeding the weight limits can result in multiple — and expensive — tickets. Telltale signs that a truck is overweight include ballooning tires, black smoke billowing from the exhaust and a cab that is leaning backward.

- **Drivers should be courteous.** If you or your employees are stopped, courtesy isn't just a social nicety — it can help a driver stay out of trouble. Abusive behavior is a sure way to "earn" additional tickets. Nor should drivers volunteer too much information. When the officer asks, "Do you know why I stopped you?" the answer should be a simple "No," perhaps with an apology as well.

As an attorney who specializes in fighting truck and traffic tickets in New York state, I frequently recommend that companies take the time to fight their truck tickets because fines, surcharges and wasted time in court are felt for a long time after the original offense occurs.

*Matthew Weiss' firm, Weiss & Associates PC, is a law firm located in New York City, where it defends businesses from truck and traffic tickets.*



Opinion

# Have Stocks Stabilized, Or Is There Pain to Come?

By Madlen Read  
Associated Press

appointed about sluggish gross domestic product growth in the second quarter and a rise in

Schweitzer, global markets strategist at JPMorgan Private Bank.

Although financial stocks have been rebounding lately, worries

ence credit trends for consumers, not to mention their spending levels. Consumer spending accounts for the