



### Small Claim Instructions (For Property Damage Only)

Regional offices of the New York State Department of Transportation (the Department) are the primary contact for those seeking reimbursement through the Small Claims process. Specific contact information for each region is as listed on the reverse side of these instructions

The Department of Transportation is authorized to pay for **\*property** damages, up to a maximum of \$5,000 (Small Claims), where the damages are found upon investigation to have been caused by the negligence of the Department or one of its employees. Personal injury claims are excluded from this process. Claims in excess of \$5,000 cannot be handled by the Department as a Small Claim.

Damages in excess of \$5,000 must be pursued by initiating an action in the Court of Claims. For timely filing, the Court of Claims Act mandates a maximum of 90 days between the date of loss and the filing of a Notice of Claim. You are advised to seek assistance of an attorney for further information regarding the Court of Claims and the proper filing of a claim against the Department for damages in excess of \$5,000.

***Per Highway Law § 58, the state shall not be liable for damages suffered by any person from defects in state highways, **except** between the first day of May and the fifteenth day of November, subject to limitations pursuant to the Court of Claims Act § 8.***

In the event that your damages do not exceed \$5,000, please read these instructions carefully and follow the process described.

- Step 1. Complete the attached Small Claim form (DC30-2) by filling in all of the requested information and providing all additional documentation referenced in the body of the DC30. **Incomplete submissions will not be accepted by the Department.**
- Step 2. Determine in which region of the Department your damages were sustained. This would be the appropriate Regional Office for the following step.
- Step 3. The completed DC30-2 form must be submitted to the appropriate Regional Office as listed on the reverse of these instructions or your Small Claim processing will be delayed. Once your Small Claim is submitted, the Department will conduct an internal investigation of the facts relating to your claim.
- Step 4. Departmental staff conducts an internal investigation, at the direction of the Department's Office of Legal Services, into the facts and circumstances involved in your loss. Depending on the specific situation, this investigation may take some time. The materials developed by staff in this investigation are privileged and confidential and are not available through the New York Freedom of Information Law (FOIL).
- Step 5. Based upon the investigation, if it is determined by Department's Office of Legal Services that the Department was not negligent and is not liable for your damages, a written explanation of the reasons for this determination will be sent to you. If a determination of Department liability is made, the necessary vouchers and releases will be sent to you. Once this paperwork is completed by you and returned to the Department, it generally takes between six and eight weeks before you will receive a check.

<b><u>County Where Damage Occurred:</u></b>	<b><u>Send Completed Form To:</u></b>	<b><u>Call:</u></b>
Albany, Essex, Greene, Rensselaer, Saratoga, Schenectady, Warren, Washington	NYSDOT Regional Claims Office 50 Wolf Road Albany, NY 12232	(518) 457-3937
Herkimer, Fulton, Hamilton, Madison, Montgomery, Oneida	NYSDOT Regional Director Utica State Office Building 207 Genesee Street Utica, NY 13501	(315) 793-2447
Cayuga, Seneca, Cortland, Onondaga, Oswego, Tompkins	NYSDOT Regional Claims Office 333 East Washington Street Syracuse, NY 13202	(315) 448-7312
Genesee, Livingston, Monroe, Ontario, Wyoming, Orleans, Wayne	NYSDOT Claims Department 1530 Jefferson Road Rochester, NY 14623	(585) 272-3400
Cattaraugus, Chautauqua, Erie, Niagara	NYSDOT Regional Claims Office 100 Seneca Street Buffalo, NY 14203	(716) 847-3173
Allegany, Chemung, Schuyler, Yates, Steuben	NYSDOT Region 6 Claims 107 Broadway Hornell, NY 14843	(607) 324-8469
Clinton, Franklin, Jefferson, Lewis, St. Lawrence	NYSDOT Regional Director Dulles State Office Building 317 Washington Street Watertown, NY 13601	(315) 785-2333
Columbia, Dutchess, Orange, Putnam, Rockland, Ulster, Westchester	NYSDOT Regional Claims Office 4 Burnett Boulevard Poughkeepsie, NY 12603	(845) 431-5921
Broome, Chenango, Delaware, Otsego, Schoharie, Sullivan, Tioga	NYSDOT Claims Officer 44 Hawley Street 11 <sup>th</sup> Floor, Room 1103 Binghamton, NY 13901	(607) 721-8255
Nassau, Suffolk	NYSDOT Regional Claims Office NYS Office Building 250 Veterans Memorial Highway Hauppauge, NY 11788	(631) 952-6139
Bronx, Kings (Brooklyn), New York (Manhattan), Queens, Richmond (Staten Island)	NYSDOT - Regional Claims Office Construction Unit 47-40 21st Street, Room 302 Long Island City, NY 11101	(718) 482-4702