

During and after snow events, highway agencies, in the course of plowing, receive phone calls regarding damage to mailboxes, either from snow plows directly or from the force of snow being thrown by plows. If such damage is indeed caused by snow removal, it is not done intentionally. It is, however, an unfortunate consequence of snow removal. As far as the particular agencies replacing damaged mailboxes, it must be pointed out that there is no statutory or legal authority requiring them to do so. In fact, under Section 319 of the New York State Highway Law, mailboxes are considered highway obstructions and are only “allowed” in the right-of-way as a convenience to the owner as it is understood they are required for mail delivery. Additionally, an opinion issued by the Attorney General on February 28, 1966 stated, “When the necessity of keeping the highway open conflicts with an individual’s reception of the mail, the later must stand aside.” Highway crews do their best to avoid mailboxes, but often times visibility, oncoming traffic and heavy snow work against them. The best method to protect your mailbox during the winter months is to ensure it is properly attached to the post and to keep the mailbox assembly simple to limit impact surface area for plowed snow. Over the last few years, the practice of plowing or depositing snow from private driveways or private property onto the highway has increased significantly, especially after roadways are cleared and snow has been pushed back behind the shoulders by highway agencies. This is a dangerous practice and it is strictly prohibited under Section 1219 of the Vehicle and Traffic Law and Section 214 of the New York State Highway Law. Depositing snow or ice onto the roadway or shoulder may result in a serious accident and the person or persons responsible may be liable to a fine of \$1000.00 per day, per occurrence for each day the occurrence remains uncorrected. Police agencies and highway agencies will issue written warnings prior to issuing tickets.