

**CAPA REGULATORY AGENDA FY 2020**  
**BUSINESS INTEGRITY COMMISSION**

Pursuant to section 1042 of the Charter, the City of New York Business Integrity Commission sets forth below its regulatory agenda for the City's fiscal year of 2020:

1. **SUBJECT**: Trade Waste Unions

- A. Reason: On March 18, 2019, Mayor de Blasio signed into law three pieces of legislation to protect workers in the commercial hauling industry: Intro. 1329-A gives BIC the authority to register unions operating in the trade waste industry; Intro. 1368-A requires trade waste companies to provide workers' rights information to certain employees; and Intro. 1373-A requires BIC to refer labor and wage violations to appropriate state or federal authorities. BIC will need to promulgate rules to put these laws into effect.
- B. Anticipated Contents: Amendments to 17 RCNY Sections 1-01, 1-04, 1-05, 1-08, 1-09, 2-04, 2-05, and 2-07.
- C. Objectives: To put the trade waste union laws into effect.
- D. Legal basis: Section 2101(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Trade Waste Labor Organizations and Representatives, Trade Waste Workers.
- F. Other relevant laws: Chapter 1 of Title 16-A of the Administrative Code (the "Administrative Code"), Sections 16-503, 16-504, 16-505, 16-506, 16-509, 16-527, and 16-528.
- G. Approximate schedule: First and Second Quarters of 2020.

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2. **SUBJECT**: Rate Cap

- A. Reason: By the end of October 2019, the Commission must hold a public hearing on the maximum rates that may be charged by a licensee for the collection, removal, disposal or recycling of trade waste. Following the hearing, the Commission will decide whether to adjust the rate cap.
- B. Anticipated Contents: Amend 17 RCNY Section 5-02.

- C. Objectives: Adjust the existing maximum rates for the collection, removal, disposal or recycling of trade waste in accordance with the standards set forth in Administrative Code Section 16-519.
- D. Legal basis: Section 2101(b) of the New York City Charter.
- E. Types of Individuals and entities likely to be affected: Trade waste industry and their customers.
- F. Other relevant laws: Administrative Code Section 16-519.
- G. Approximate schedule: Third Quarter of FY 2020.

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3. **SUBJECT**: Seafood distribution market rules and penalty schedule for violations relating to photo identification card compliance.
  - A. Reason: Currently, BIC’s rules authorize BIC to issue penalties to businesses located in public wholesale markets regulated by the Commission that are not located in a seafood distribution area for employing an individual without an approved photo identification card. But, there currently is no corresponding rule for businesses located in a seafood distribution area. Instead, BIC is restricted to penalizing individual employees for failure to obtain an approved photo identification card. The proposed rule would authorize BIC to issue penalties to the businesses in the seafood distribution areas for employing an individual without an approved photo identification card, rather than solely relying on penalizing the individual employee. The proposed rule would also significantly lower the penalties associated with the rule for all affected businesses.
  - B. Anticipated Contents: Amend 17 RCNY, Chapter 2.
  - C. Objectives: To allow BIC to penalize companies in a seafood distribution area that continually fail to inform their employees that they must submit a photo identification card application to the Commission upon attempting to work for a Commission-registered business. The rule will also reduce the total amount of the penalty associated with the rule for all affected businesses, thereby lessening the impact of issuance on business operations while still penalizing failure to comply with the law.
  - D. Legal basis: Sections 1043 (a) and 2101 (b) of the New York City Charter.
  - E. Types of Individuals and entities likely to be affected: New York City Public Wholesale Markets

F. Other relevant laws: Administrative Code Title 17, Sections 11-19, 11-22, 12-18, and 12-27.

G. Approximate schedule: First Quarter of FY 2020.

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4. **SUBJECT**: Require Licensees/Registrants to disclose detailed vehicle information.

A. Reason: Certain vehicles belonging to BIC licensed and registered companies will soon be required to comply with the requirements set forth in Local Law 145 of 2013 (regarding vehicle emissions) and Local Law 56 of 2015 (regarding side guards). The requirements of these laws go into effect January 1, 2020 and January 1, 2024, respectively. In order to assess a company's compliance with each law, BIC-licensed and registered companies will need to provide the Commission with detailed information for each vehicle in their fleet, including but not limited to, gross weight, gross weight rating, engine information, and side guard information.

B. Anticipated Contents: Amendment to 17 RCNY Section 5-03.

C. Objectives: To assist BIC with determining a company's progress toward compliance with local laws.

D. Legal basis: Section 2101(b) of the New York City Charter.

E. Types of Individuals and entities likely to be affected: Trade waste industry.

F. Other relevant laws: None.

G. Approximate schedule: To be determined.

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