

New York City Department of Consumer and Worker Protection

Notice of Adoption

Notice of Adoption to add and amend rules to implement Local Law 80 of 2021 and add an entry to the Department of Consumer and Worker Protection's ("DCWP") tobacco retail dealer and electronic cigarette retail dealer penalty schedules for a New York State law provision that prohibits advertising or displaying certain products or paraphernalia within 500 feet of schools.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of Consumer and Worker Protection by Sections 1043 and 2203(f) of the New York City Charter and Section 20-104(b) of the New York City Administrative Code, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Department amends and adds to Chapters 2, 4, 5, and 6 of Title 6 of the Rules of the City of New York.

This rule was proposed and published on October 14, 2021. A public hearing was held on November 15, 2021. No comments were received by DCWP.

Statement of Basis and Purpose of Rule

DCWP is adding and amending rules to implement Local Law 80 of 2021 ("LL 80"). In response to the COVID-19 pandemic's devastating economic impact on the City's small businesses, LL 80 provides civil penalty relief for small businesses from certain sanitation, health, transportation, consumer affairs, noise control and buildings violations. LL 80 sets fixed penalties at the bottom of existing penalty ranges, lowers existing penalty ceilings (or sometimes sets a lower fixed amount), or lowers existing fixed penalties. In certain instances, LL 80 allows a cure period for a first violation or eliminates the civil penalty for a first violation. LL 80 also repeals several requirements and prohibitions to provide relief for small businesses.

This rule amendment also adds an entry to DCWP's tobacco retail dealer and electronic cigarette retail dealer penalty schedules for a New York State law provision that prohibits advertising or displaying certain products or paraphernalia within 500 feet of schools.

Specifically, this rule:

- Repeals rules relating to sales to implement LL 80, which repealed provisions of title 20 of the Administrative Code relating to the licensing of persons who are conducting a sale of goods, wares or merchandise. *See* rule section 1.
- Repeals rules relating to hamburger and chopped meat to implement LL 80, which repealed provisions of title 20 of the Administrative Code relating to hamburger and chopped meat. *See* rule section 2.
- Amends a rule relating to broken fuel pumps to implement LL 80, which amended section 20-672 of the Administrative Code. *See* rule section 3.
- Repeals rules relating to the sale of meats to implement LL 80, which repealed provisions of Title 20 of the Administrative Code relating to the sale of meats. *See* rule section 4.
- Moves rules relating to car rental businesses to a new subchapter S in chapter 5 of DCWP's rules. LL 80 created a new Administrative Code subchapter dedicated to car rentals. *See* rule sections 5 and 7.
- Repeals a rule relating to the posting of prescription drug prices to implement LL 80, which repealed section 20-713 of the Administrative Code. *See* rule section 6.

- Repeals and replaces section 6-03(b)(5) of title 6 of the Rules of the City of New York to include an easier to read chart of all rule provisions that are curable. These amendments also add new curable provisions as required by LL 80. *See* rule section 8.
- Amends the license enforcement penalty schedule to reduce penalties as required by LL 80. *See* rule section 9.
- Amends the tobacco retail dealer and electronic cigarette retail dealer penalty schedules to add a New York State law provision that prohibits advertising or displaying certain products or paraphernalia within 500 feet of schools and a New York State law provision that prohibits the distribution of tobacco and vapor products free of charge. *See* rule sections 10 and 11.
- Amends the sidewalk cafes penalty schedule to reduce penalties as required by LL 80. *See* rule section 12.
- Amends the sidewalk stands penalty schedule to reduce penalties as required by LL 80. *See* rule section 13.
- Amends the sightseeing guides penalty schedule to reduce penalties as required by LL 80. *See* rule section 14.
- Amends the pedicabs penalty schedule to reduce penalties as required by LL 80. *See* rule section 15.
- Amends the dealers in second-hand articles penalty schedule to reduce penalties as required by LL 80. *See* rule section 16.
- Amends the pawnbrokers penalty schedule to reduce penalties as required by LL 80. *See* rule section 17.
- Repeals the sales penalty schedule to implement LL 80. *See* rule section 18.
- Amends the garages and parking lots penalty schedule to reduce penalties as required by LL 80. *See* rule section 19.
- Amends the bingo licensing law penalty schedule to reduce penalties as required by LL 80. *See* rule section 20.
- Amends the electronic or home appliance service dealer penalty schedule to reduce penalties as required by LL 80. *See* rule section 21.
- Amends the electronic stores penalty schedule to reduce penalties as required by LL 80. *See* rule section 22.
- Amends the weights and measures penalty schedule to reduce penalties as required by LL 80. *See* rule section 23.
- Repeals the sales of meats penalty schedule as required by LL 80. *See* rule section 24.
- Amends the sale of prepackaged meat penalty schedule to reduce penalties and repeal entries as required by LL 80. *See* rule section 25.
- Amends the perishable foods penalty schedule to reduce penalties as required by LL 80. *See* rule section 26.
- Amends the price displays penalty schedule to reduce penalties as required by LL 80. *See* rule section 27.
- Amends the truth in pricing penalty schedule to reduce penalties as required by LL 80. *See* rule section 28.
- Amends the posting of prescription drug prices penalty schedule to reduce penalties and repeal entries as required by LL 80. *See* rule section 29.
- Amends the availability for sale of advertised merchandise penalty schedule to reduce penalties as required by LL 80. *See* rule section 30.
- Amends the posting of prices in retail service establishments penalty schedule to reduce penalties as required by LL 80. *See* rule section 31.
- Amends the general vendor penalty schedule to define “continuous unlicensed activity” and to reduce penalties as required by LL 80. *See* rule section 32.

- Adds a penalty schedule for mobile food vending violations. *See* rule section 33.
- Adds a penalty schedule for car rental violations. *See* rule section 34.
- Adds a penalty schedule for violations about information regarding the redemption of beverage containers. *See* rule section 35.
- Adds a penalty schedule for violations about information regarding room air conditioners. *See* rule section 36.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Rule Amendment

Section 1. Subchapter P of Chapter 2 of Title 6 of the Rules of the City of New York, relating to sales, is REPEALED.

§ 2. Subchapter D of Chapter 4 of Title 6 of the Rules of the City of New York, relating to hamburger and chopped meat, is REPEALED.

§ 3. Section 4-55 of Subchapter E of Chapter 4 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 4-55 Out-of-Order Pumps.

A sign, placard, or other display, printed with red letters of at least one inch in height, [shall] must be placed over the dial face of any [pump] gasoline or diesel motor fuel dispensing device which is not in proper working order. The delivery hose must be disconnected therefrom. The sign [shall] must read as follows:

“THIS PUMP IS OUT OF ORDER.”

§ 4. Subchapter F of Chapter 4 of Title 6 of the Rules of the City of New York, relating to the moisture content of processed meats and meat products, is REPEALED.

§ 5. Section 5-46 of Part 5 of Subchapter A of Chapter 5 of Title 6 of the Rules of the City of New York, relating to car rental business, is REPEALED.

§ 6. Section 5-121 of Subchapter C of Chapter 5 of Title 6 of the Rules of the City of New York, relating to posting of prescription drug prices, is REPEALED.

§ 7. Chapter 5 of Title 6 of the Rules of the City of New York is amended by adding a new Subchapter S to read as follows:

Subchapter S: Car Rentals

§ 5-290. Car Rental.

(a) Reservations. A motor vehicle rental business which reserves vehicles for consumers must make available either the vehicles reserved, or one which seats at least as many passengers as the one reserved and is suitable for the consumer's purposes, within one-half hour of the reserved time, either at the reserved location or at another location to which the consumer is transported without charge. This subdivision (a) does not apply if the consumer is told when the reservation is made that the reservation is not guaranteed. The business must fulfill all other terms of the reservation.

(b) Deceptive advertising. A motor vehicle rental business which rents to consumers may not advertise or represent that reservations can be made, unless it maintains procedures to comply with this Regulation.

(c) Records. A business which reserves vehicles for consumers must maintain procedures reasonably calculated to fulfill those reservations. This includes maintaining records of all reservations, and of the scheduled return times of all rented vehicles. These records must be preserved for at least 6 months, and shall be made available for inspection and copying by the Department of Consumer and Worker Protection.

(d) Required sign. A motor vehicle rental business which rents vehicles to consumers must conspicuously display on the business premises a sign or notice entitled “Department of Consumer and Worker Protection Car Rental Law.” The sign shall be not less than twelve (12) inches by eighteen (18) inches in dimension, with letters thereon to be not less than one (1) inch high. The sign must inform consumers of their rights under 6 RCNY § 5-290(a) and it must contain the following words: “To report complaints, contact the New York City Department of Consumer and Worker Protection, (Insert the Department's current address), Complaint Phone: (Insert the Department's current complaint telephone number).” The following statement complies with this requirement:

If you have made a reservation for a car (or truck), that reservation must be honored at the price originally promised, within one-half hour of the time originally promised, unless you are told when you make the reservation that it is not guaranteed. To report complaints, contact the New York City Department of Consumer and Worker Protection, (Insert the Department's current address), Complaint Phone: (Insert the Department’s current complaint telephone number).

§ 8. Subdivision (b)(5) of Section 6-03 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York, relating to opportunity to cure, is REPEALED and a new Subdivision (b)(5) is added to read as follows:

(5) The following provisions of Title 6 of the Rules of the City of New York constitute the mandates for which the opportunity to cure a first-time violation is available:

<u>Citation</u>	<u>Description</u>
6 RCNY § 1-03(a)	<u>requiring the posting of a sign that includes instructions on contacting the Department to file a complaint about a licensed business</u>
6 RCNY § 1-03(b)	<u>requiring a sidewalk cafe to post a sign that includes the maximum number of tables and chairs permitted for such sidewalk café</u>
6 RCNY § 1-05	<u>requiring a licensee to include such licensee’s license number in advertisements and other printed and electronic matters</u>

6 RCNY § 2-24	<u>requiring amusement arcades and gaming cafes to post a sign describing age restrictions during certain hours of operation</u>
6 RCNY §§ 2-41 through 2-59	<u>all sidewalk café rules</u>
6 RCNY § 2-66(a)	<u>requiring newsstands to comply with display restrictions</u>
6 RCNY § 2-66(b)	<u>requiring newsstands to comply with advertising restrictions</u>
6 RCNY § 2-134(a)(4)(i)	<u>requiring retail laundries to post a notice that complaints and claims for refunds may be made to a certain person or persons</u>
6 RCNY § 2-134(a)(4)(ii)	<u>requiring retail laundries to post an out-of-order sign on non-functioning machines</u>
6 RCNY § 2-161(g)(1)	<u>requiring that parking lots and garages have separate entrances and exits, with the main entrance clearly designated with illuminated signs marked "entrance" and "exit"</u>
6 RCNY § 2-161(g)(2)(v)	<u>requiring that parking lot and garage auxiliary signs contain equally sized letters and numbers</u>
6 RCNY § 2-161(g)(2)(vi)	<u>requiring that parking lots and garages post a sign stating: the business hours; the licensed capacity; and the minimum number of bicycle parking spaces</u>
6 RCNY § 2-161(g)(3)(i)	<u>requiring that the parking garage and lot sign required by 6 RCNY § 2-161(g)(2) is illuminated, clearly visible and readable</u>
6 RCNY § 2-161(h)(1)	<u>requiring the posting of a sign that the garage is at full capacity for car parking</u>
6 RCNY § 2-161(h)(2)	<u>requiring the posting of a sign that the garage is at full capacity for bicycle parking</u>
6 RCNY § 2-161(u)	<u>requiring that parking lots and garages with waivers under section 20-327.1 of subchapter 17 of Chapter 2 of Title 20 of the Administrative Code of the City of New York post a sign that bicycle parking is not required by law</u>
6 RCNY § 2-211(h)	<u>requiring that a sightseeing bus post a sign on the windshield and near the entrance door of such bus that designates the departure time and destination of such bus</u>
6 RCNY § 2-253(a)(3)	<u>requiring that electronic or home appliance service dealers post a notice in the department or area where electronic and home appliances are accepted for repair, stating that customers are entitled to written estimates for repairs and other customer rights</u>
6 RCNY § 2-275(c)	<u>requiring dealers of products for the disabled to post a sign summarizing provisions of the New York City Products for the Disabled Law</u>
6 RCNY § 3-12	<u>requiring labeling declarations required by subchapter A of Chapter 3 of Title 6 of the Rules of the City of New York to be written in English</u>
6 RCNY § 3-24(f)(2)	<u>requiring stores with weighing and measuring devices for customer use to post a sign informing customers that they may reweigh products using such weighing or measuring device or devices</u>
6 RCNY § 4-55	<u>requiring display of signs for out of order petroleum pumps</u>
6 RCNY § 4-63	<u>requiring display of signs for petroleum pumps</u>
6 RCNY § 5-24	<u>requiring that a business that accepts credit cards post a list of limitations that such business puts on credit card usage at or near the entrance of the business and in all advertising indicating that credit cards are accepted</u>
6 RCNY § 5-37	<u>requiring the posting of refund policies</u>
6 RCNY § 5-40(e)	<u>prohibiting a sign stating that a business is not liable for its negligence if such a statement is invalid under law</u>
6 RCNY § 5-66(c)	<u>requiring that tax preparers post a sign: stating his or her name, address, telephone number and qualifications; stating that the preparer and taxpayer must sign every tax return; stating how fees are calculated; stating that the tax preparer or their agency will not represent the taxpayer in an audit, if true; and stating that the tax preparer is not licensed by the state board of public accounting or the New York state bar, or both, if true</u>
6 RCNY § 5-70	<u>requirements for retail service establishments</u>
6 RCNY § 5-113	<u>calculation and Display of Price Per Measure</u>
6 RCNY § 5-114	<u>requiring certain consumer commodities to be labeled</u>

6 RCNY § 5-115	<u>requirements for multiple pricing</u>
6 RCNY § 5-191	<u>sign size requirements for redemption of beverage containers</u>
6 RCNY § 5-192	<u>content of sign for redemption of beverage containers</u>
6 RCNY § 5-194	<u>substitute signs for redemption of beverage containers</u>
6 RCNY § 5-195	<u>requiring signage at businesses that sell beverages for off-premises consumption in beverage containers that are covered by title ten of article twenty-seven of the Environmental Conservation Law of the State of New York to be placed within a certain distance of cash registers or to be visible to consumers from any specific vantage point</u>
6 RCNY § 5-250	<u>requiring the posting of signs by employment agencies</u>
6 RCNY § 5-251	<u>requiring the display of a license by an employment agency</u>
6 RCNY § 5-265	<u>requiring the posting of signs about tenant screening reports, pursuant to Section 20-809 of the Administrative Code of the City of New York</u>
6 RCNY § 5-290(a)	<u>requiring car rental businesses to comply with reservation requirements</u>
6 RCNY § 5-290(d)	<u>requiring car rental businesses to post a sign about certain rights</u>
24 RCNY §6-19	<u>requiring posting of a letter grade on mobile food vending cart.</u>

§ 9. The License Enforcement penalty schedule contained in Section 6-11 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin. Code § 20-105	Unlicensed Activities	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin. Code § 20-109	Improper license transfer	[\$375] 175	[\$500] 175	[\$450] 300	[\$500] 300	\$500	\$500
Admin. Code § 20-110	Failure to obtain Department approval of change of corporate ownership	[\$375] 175	[\$500] 175	[\$450] 300	[\$500] 300	\$500	\$500
Admin. Code § 20-111	Failure to obtain Department approval of change in a partnership	[\$375] 175	[\$500] 175	[\$450] 300	[\$500] 300	\$500	\$500
Admin. Code § 20-112	Failure to comply with licensee address requirements	[\$375] 175	[\$500] 175	[\$450] 300	[\$500] 300	\$500	\$500
Admin. Code § 20-113	Failure to comply with trade name requirements	[\$375] 175	[\$500] 175	[\$450] 300	[\$500] 300	\$500	\$500
Admin. Code § 20-114	Failure to comply with inspection and license display requirements	[\$375] 175	[\$500] 175	[\$450] 300	[\$500] 300	\$500	\$500
Admin. Code § 20-115	<u>Failure to comply with bond requirement.</u>	[\$375] 175	[\$500] 175	[\$450] 300	[\$500] 300	<u>\$500</u>	<u>\$500</u>

6 RCNY § 1-01.1	Failure to provide truthful information on application	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-03(a)	Failure to post the license sign	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-03(b)	Failure to post the sidewalk cafe license and complaint sign	\$(375) <u>175*</u>	\$(500) <u>175*</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-04	Making false representations and altering or falsifying Department documents or providing or using falsified documents	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-05	Failure to contain license number in advertisements and other printed and electronic matter	\$(375) <u>175*</u>	\$(500) <u>175*</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-13	Failure to comply with requirements related to responding to a consumer's complaint	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-14	Failure to appear for or respond to a request for documents, subpoena, request for interrogatories, or notice of deposition	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-15	Failure to satisfy judgment	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-16	Failure to comply with record and business premise inspection requirements	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-17	Improper wearing of badge	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-18	Failure to destroy identification documents issued by the department	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500
6 RCNY § 1-21	Injurious conduct committed by a licensee	\$(375) <u>175</u>	\$(500) <u>175</u>	\$(450) <u>300</u>	\$(500) <u>300</u>	\$500	\$500

§ 10. The Tobacco Retail Dealer penalty schedule contained in Section 6-12 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-202(a)(1)	Engaging in unlicensed tobacco retail dealer activity	\$2,000, plus \$100 per day	\$2,000, plus \$100 per day				
Admin Code § 20-202(a)(2)	Permitting premises to be used for unlicensed tobacco retail dealer activity	\$1,500	\$2,000	\$1,800	\$2,000	\$2,000	\$2,000
Admin Code § 20-202(d)(2)	Failure to display license conspicuously	\$1,500	\$2,000	\$1,800	\$2,000	\$2,000	\$2,000
Admin Code § 20-203	Failure to comply with recordkeeping and inspection requirements	\$1,500	\$2,000	\$1,800	\$2,000	\$2,000	\$2,000
Admin Code § 20-205	Engaged in prohibited sales or purchases	\$1,500	\$2,000	\$1,800	\$2,000	\$2,000	\$2,000
Admin Code § 17-176.1(b)	Selling discounted cigarettes	\$1,000	\$1,000	\$2,000	\$2,000	\$5,000	\$5,000

Admin Code § 17-176.1(c)	Selling discounted tobacco products	\$1,000	\$1,000	\$2,000	\$2,000	\$5,000	\$5,000
Admin Code § 17-176.1(d)	Selling cigarettes or tobacco products below the price floor	\$1,000	\$1,000	\$2,000	\$2,000	\$5,000	\$5,000
Admin Code § 17-703*	Operating as a wholesale dealer without a license	\$5,000	\$5,000	\$10,000 (plus revocation)	\$10,000 (plus revocation)	\$10,000 (plus revocation)	\$10,000 (plus revocation)
Admin Code § 17-703.1	Failure of retail dealer to post sign in conspicuous place that cigarettes must be in packages bearing valid tax stamps	\$500	\$500	\$500	\$500	\$500	\$500
Admin Code § 17-704(a)*	Selling or offering for sale cigarettes or tobacco products that have been removed from packaging that bears a health warning	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-704(a-1) through (f)*	Violation of minimum package sizes for cigarettes or tobacco products	\$1,000	\$1,000	\$2,000	\$2,000	\$2,000	\$2,000
Admin Code § 17-704.1(a)*	Unlawful delivery of cigarettes or tobacco products	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-705*	Failure to comply with age restrictions on handling	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-706(a)*	Unlawful sale of cigarettes, tobacco products, or liquid nicotine to an individual under 21	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-706(b)*	Unlawful sale of non-tobacco smoking products to an individual under 18	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-706(c)	No minimum age sign violation/missing information on sign	\$500	\$500	\$500	\$500	\$500	\$500
Admin Code § 17-715	Unlawful sale of flavored tobacco	\$1,000	\$1,000	\$2,000	\$2,000	\$5,000 (plus 1 to 90 day suspension)**	\$5,000 (plus one year suspension)
NY Pub Health § 1399-BB	Distribution of tobacco products or herbal cigarettes without charge	\$1,500	\$1,500	\$2,500	\$2,500	\$2,500	\$2,500
NY Pub Health § 1399-CC(2) (sign)	Failure to conspicuously post the required tobacco sign	\$1,500	\$1,500	\$2,500	\$2,500	\$2,500	\$2,500
NY Pub Health § 1399-CC(2) (sale)	Unlawful sale of tobacco products, herbal cigarettes, liquid nicotine, shisha or electronic cigarettes to an	\$1,500 (plus 2 points on NYS registration)	\$1,500 (plus 2 points on NYS registration)	\$2,500 (plus 2 points on NYS registration)			

	individual under eighteen years of age						
NY Pub Health § 1399-CC(3)	Failure to obtain proper identification from purchaser	\$1,500	\$1,500	\$2,500	\$2,500	\$2,500	\$2,500
NY Pub Health § 1399-CC(5)	Improper use of the electronic transaction information	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
NY Pub Health § 1399-CC(7)	Failure to store tobacco products or herbal cigarettes behind a counter accessible only to store personnel or in a locked container	\$1,500	\$1,500	\$2,500	\$2,500	\$2,500	\$2,500
NY Pub Health § 1399-DD	Unlawful sale of tobacco products, herbal cigarettes, or electronic cigarettes in vending machines	\$1,500	\$1,500	\$2,500	\$2,500	\$2,500	\$2,500
NY Pub Health § 1399-DD-1	Unlawful display of tobacco product or electronic cigarette advertising or smoking paraphernalia	\$500	\$500	\$1,000	\$1,000	\$1,000	\$1,000
NY Pub Health § 1399-EE(2)	Unlawful sale of tobacco products or herbal cigarettes with a suspended or revoked NYS tobacco registration	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
NY Pub Health § 1399-GG	Unlawful out-of-package sales or minimum package size	\$1,500	\$1,500	\$2,500	\$2,500	\$2,500	\$2,500
NY Pub Health § 1399-LL	Failure to comply with regulations prohibiting the sale of bidis	\$500	\$500	\$500	\$500	\$500	\$500
NY Pub Health § 1399-MM	Failure to comply with the regulations prohibiting the sale of gutka	\$500	\$500	\$500	\$500	\$500	\$500
24 RCNY § 13-03	Failure to comply with price floors for little cigars, cigars, smokeless tobacco, snus, shisha, non-tobacco shisha, or loose tobacco	\$1,000	\$1,000	\$2,000	\$2,000	\$5,000	\$5,000
24 RCNY § 28-06	Unlawful sale of tobacco product or non- tobacco product designed for consumption through the inhalation of smoke not in original packaging	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000

§ 11. The Electronic Cigarette Retail Dealer penalty schedule contained in Section 6-12.1 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin. Code § 20-561(a)(1)	Unlicensed electronic cigarette retail dealer	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day

Admin. Code § 20-561(a)(2)	Permitting premises under person's control to be used as unlicensed electronic cigarette retail dealer	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin. Code § 17-704.1(b)*	Unlawful delivery of electronic cigarettes	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-706(a-1)*	Unlawful sale of electronic cigarettes to an individual under 21	\$1,000	\$1,000	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)	\$2,000 (plus revocation)
Admin Code § 17-706(c)	No minimum age sign violation or missing information on sign	\$500	\$500	\$500	\$500	\$500	\$500
Admin. Code § 17-715(b)	Unlawful sale of flavored electronic cigarettes or flavored e-liquids	\$1,000	\$1,000	\$2,000	\$2,000	\$5,000 (plus 1 to 90 day suspension)**	\$5,000 (plus one year suspension)
NY Pub Health § 1399-BB	<u>Distribution of vapor products without charge</u>	<u>\$1,500</u>	<u>\$1,500</u>	<u>\$2,500</u>	<u>\$2,500</u>	<u>\$2,500</u>	<u>\$2,500</u>
NY Pub Health § 1399-DD-1	<u>Unlawful display of tobacco product or electronic cigarette advertising or smoking paraphernalia</u>	<u>\$500</u>	<u>\$500</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$1,000</u>
NY Pub Health § 1399-MM-1(2)	Selling or offering for sale a flavored vapor product intended or reasonably expected to be used for the consumption of nicotine	\$75 per package	\$100 per package	\$90 per package	\$100 per package	\$100 per package	\$100 per package

§ 12. The Sidewalk Cafes penalty schedule contained in Section 6-15 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third Violation	Third Default	Fourth and Subsequent Violation	Fourth and Subsequent Default
Admin Code § 20-224(a)	Operating an unlicensed sidewalk cafe	[\$750] <u>200</u>	[\$1,000] <u>200</u>	[\$1,500] <u>500</u> (plus 0 to 10 day sealing)**	[\$2,000] <u>500</u> (plus 3 day sealing)	[\$2,000] <u>500</u> (plus 0 to 20 day sealing)**	[\$2,000] <u>500</u> (plus 5 day sealing)	[\$2,000] <u>500</u> (plus 0 to 30 day sealing)**	[\$2,000] <u>500</u> (plus 7 day sealing)
Admin Code § 20-224(c)	Sidewalk cafe improperly obstructs means of egress	[\$750] <u>200</u>	[\$1,000] <u>200</u>	[\$1,500] <u>500</u>	[\$2,000] <u>500</u>	[\$4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	[\$4,000] <u>1,000</u> (plus 30 day suspension)	[\$4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	[\$4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
Admin Code § 20-224(e)	Sidewalk cafe serves alcohol but does not provide waiter or waitress service to patrons	[\$750] <u>200</u>	[\$1,000] <u>200</u>	[\$1,500] <u>500</u>	[\$2,000] <u>500</u>	[\$4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	[\$4,000] <u>1,000</u> (plus 30 day suspension)	[\$4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	[\$4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
Admin Code § 20-225(i)	Failure to comply with the terms of the revocable consent for enclosed sidewalk cafes	[\$750] <u>200</u>	[\$1,000] <u>200</u>	[\$1,500] <u>500</u>	[\$2,000] <u>500</u>	[\$4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	[\$4,000] <u>1,000</u> (plus 30 day suspension)	[\$4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	[\$4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)

Admin Code § 20-226(g)	Failure to comply with the terms of the revocable consent for unenclosed sidewalk cafes	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-46	Failure to comply with sidewalk clearance standards	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-51	Failure to comply with license application requirements	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-52	Failure to comply with sidewalk cafe location criteria	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-53	Failure to comply with physical criteria for sidewalk cafes	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-53(d)	Improper signs on a sidewalk cafe	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-54	Failure to comply with physical criteria for enclosed sidewalk cafes	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-55	Failure to comply with physical criteria for unenclosed sidewalk cafes	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-55(a)	Removable base, wall, or planter exceeds 30 inches in height	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-55(c)	Improper sidewalk cafe awning	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-57	Improper sidewalk cafe operations	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-57(f)	Posting prohibited signage	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)

6 RCNY § 2-57(g)	Improper menu	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-57(h)	Improper illumination	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)
6 RCNY § 2-57(i)	Failure to post sign required by 6 RCNY § 1-03	\$[750] <u>200</u>	\$[1,000] <u>200</u>	\$[1,500] <u>500</u>	\$[2,000] <u>500</u>	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension)**	\$[4,000] <u>1,000</u> (plus 30 day suspension)	\$[4,000] <u>1,000</u> (plus 0 to 30 day suspension and 0 to 5 day sealing)**	\$[4,000] <u>1,000</u> (plus 30 day suspension and 5 day sealing)

§ 13. The Sidewalk Stands penalty schedule contained in Section 6-16 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-229	Operating an unlicensed newsstand	\$100 per day	\$100 per day				
Admin Code § 20-231(a), (c) through (k)	Failure to comply with restrictions and size requirements	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-231(b)	Failure to comply with restrictions on items sold	\$0	\$0	\$175	\$175	\$300	\$300
Admin Code § 20-233(a)	Operating an unlicensed stoop line stand	\$100 per day	\$100 per day				
Admin Code § 20-233(b)	Improper use of a stoop line stand	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-237(a) (food items)	Failure to comply with stoop line height, location and size restrictions displaying any food items	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-237(b) (food items)	Failure to comply with specific stoop line stand length and width restrictions on stands displaying any food items	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-237(a) (non-food items)	Failure to comply with stoop line stand location and size restrictions on stands displaying only non-food items	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-237(b) (non-food items)	Failure to comply with specific stoop line stand length and width restrictions on stands displaying only non-food items	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-237(c)	Unlawfully leasing to or permitting another person to use adjacent sidewalk space to display or sell merchandise	\$100 per day	\$100 per day				
Admin Code § 20-240	Unlawfully sleeping in stoop line stand	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-241.1	Failure to comply with newsstand franchise requirements	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500

6 RCNY § 2-64(d)	Improper alteration or enlargement of newsstand	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-65	Failure to comply with newsstand site requirements	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-66	Improper operation of a newsstand	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-68	Failure to comply with procedures for review, approval, replacement or relocation of newsstand	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-69	Failure to comply with newsstand obligations	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-70.2	Failure to comply with stoop line stand requirements	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500

§ 14. The Sightseeing Guides penalty schedule contained in Section 6-17 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-243	Operating as an unlicensed sightseeing guide	\$100 per day	\$100 per day				
Admin Code § 20-247	Failure to comply with sightseeing guide regulations	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-71	Improper documentation on receipts	\$[260] <u>175</u>	\$[350] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-72	Improperly charged additional fees	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-73	Improperly offered tie-in services	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500

§ 15. The Pedicabs penalty schedule contained in Section 6-18 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-250(a)	Operating without [DCA] DCWP pedicab business license	\$[375] <u>200</u> , plus \$100 per day	\$[500] <u>200</u> , plus \$100 per day	\$[900] <u>500</u> , plus \$100 per day	\$[1,000] <u>500</u> , plus \$100 per day	\$[4,000] <u>1,000</u> , plus \$100 per day	\$[4,000] <u>1,000</u> , plus \$100 per day
Admin Code § 20-253	Failure to comply with [DCA] DCWP insurance requirements	\$500 (plus 0 to 15 day suspension)**	\$500 (plus 15 day suspension)	\$1,000 (plus 0 to 30 day suspension)**	\$1,000 (plus 30 day suspension)	\$4,000 (plus revocation)**	\$4,000 (plus revocation)
Admin Code § 20-254	Operating without required equipment in pedicabs	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
Admin Code § 20-255	Failure to comply with inspection or registration plate requirements	\$375	\$500	\$900 (plus 30 to 60 day suspension)**	\$1,000 (plus 60 day suspension)	\$4,000 (plus one year to 18 month suspension)**	\$4,000 (plus 18 month suspension)

Admin Code § 20-256	Failure to comply with recordkeeping requirements	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
Admin Code § 20-257(a)	Operating without [DCA] DCWP pedicab driver license	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
Admin Code § 20-257	Failure to comply with pedicab driver license requirements	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
Admin Code § 20-258(b)	Failure to wear or display visible photo identification card	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
Admin Code § 20-259	Failure to comply with restrictions on the operation of pedicabs	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
Admin Code § 20-259(b)(6)	Driver impaired or intoxicated by alcohol	\$500 (plus 0 to 15 day suspension)**	\$500 (plus 15 day suspension)	\$1,000 (plus 0 to 30 day suspension)**	\$1,000 (plus 30 day suspension)	\$4,000 (plus revocation)**	\$4,000 (plus revocation)
Admin Code § 20-259(b)(7)	Operating a pedicab without a driver's license or with a suspended or revoked license	\$500	\$500	\$1,000	\$1,000	\$4,000	\$4,000
Admin Code § 20-259(d)	Failure to comply with accident report requirement	\$500	\$500	\$1,000	\$1,000	\$4,000	\$4,000
Admin Code § 20-259(e)	Failure to comply with an exigent circumstances directive	\$500	\$500	\$1,000	\$1,000	\$4,000	\$4,000
Admin Code § 20-260	Violated pedicab rate requirements	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
Admin Code § 20-262	Failure to display pedicab registration or pedicab driver's license	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
6 RCNY § 2-420	Failure to notify [DCA] DCWP of accident	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
6 RCNY § 2-424	Improper advertisements placed on pedicab	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
6 RCNY § 2-425	Failure to comply with signage requirements	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
6 RCNY § 2-428	Failure to comply with recordkeeping requirements	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>
6 RCNY § 2-429	Failure to comply with Pedicab Information Card requirements	\$[375] <u>200</u>	\$[500] <u>200</u>	\$[900] <u>500</u>	\$[1,000] <u>500</u>	\$[4,000] <u>1,000</u>	\$[4,000] <u>1,000</u>

§ 16. The Dealers in Second-Hand Articles penalty schedule contained in Section 6-19 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-265	Operating as a second hand dealer without a license	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-267	Failure to report required records to police commissioner	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
Admin Code § 20-268	Failure to comply with specified restrictions pertaining to second hand dealers	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
Admin Code § 20-268.1	Failure to comply with requirements related to sale and financing of second-hand automobiles	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-268.2	Failure to comply with requirements related to automobile contract cancellation option	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-268.3	Failure to provide certain second-hand automobile contract documents in advance	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-268.4	Failure by a second-hand automobile dealer to post consumer bill of rights	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-268.5	Failure to comply with requirements related to secondhand automobile records and reports	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-270	Failure to comply with signage requirements	\$(375) 175*	\$(500) 175*	\$(450) 300	\$(500) 300	\$500	\$500
Admin Code § 20-271(a)	Failure to label second-hand articles as not new	\$(375) 175*	\$(500) 175*	\$(450) 300	\$(500) 300	\$500 (plus suspension or revocation)	\$500 (plus suspension or revocation)
Admin Code § 20-271(b)	Failure of dealer in second-hand automobiles to clearly and conspicuously post price of second-hand automobile or prices for add-on products	\$500*	\$500*	\$750	\$750	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-272	Failure to comply with requirements pertaining to lost or stolen property	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
Admin Code § 20-273	Failure to comply with requirements pertaining to record of purchases and sales	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-101	Failure to verify and record identity of persons who sell to second-hand dealers	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-102	Failure to comply with requirements pertaining to sale of second-hand furniture	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-103(a)	Failure to maintain documents recording transfer of title in sale of second-hand automobile	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-103(b)	Failure to comply with requirements pertaining to deferred payment, collateral and financing terms in sale of second-hand automobile	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-103(c)	Covering or concealing of motor or serial number in sale of second-hand automobile or motorcycle	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-103(d)	Failure of dealer in second-hand automobiles to meet deferred payment commitments in purchase of second-hand automobile from private person	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500

6 RCNY § 2-103(e)	Improper statements, representations, promises or acts by dealer in second-hand automobiles or agents	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(f)	Failure of dealer in second-hand automobiles to disclose all terms of undertaking or agreement with purchaser	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(g)(1)(i)	Sale of second-hand automobile not inspected and certified in accordance with Vehicle and Traffic Law	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(g)(1)(ii)	Failure to provide required Notice to Buyer with contract for sale of second-hand automobile	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(g)(1)(iii)	Contract for sale of second-hand automobile containing prohibited limitations	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(g)(1)(iv)	Failure of dealer in second-hand automobiles to submit form contracts with license application	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(g)(1)(v)	Failure of dealer in second-hand automobiles to display required sign at place of business	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(g)(2)	Misrepresentation of vehicle mileage	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(h)	Failure of dealer in second hand automobiles to investigate previous use of vehicle or to maintain record of vehicle's previous use and odometer reading	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(i)	Sale of second-hand automobile at price other than advertised	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(j)	Sale of second-hand automobile from licensed place of business by any person other than licensed dealer in second-hand automobiles	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(k)(1)	Improperly accepting deposit in sale of second hand automobile	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(k)(2)	Deposit receipt fails to contain required information	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(k)(3)	Failure to keep proper record of deposits in sales of second hand automobiles	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(l)(1)	Failure of dealer in second hand automobiles to keep proper records of income and expenses	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(l)(2)	Failure of dealer in second hand automobiles to maintain proper record of cash receipts sand cash disbursements	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-103(m)(2)	Dealer in second-hand automobiles parking or allowing automobiles to encroach on a sidewalk or other public space	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-105(a)	Failure to label second-hand articles as not new	\$[375] <u>175*</u>	\$[500] <u>175*</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500 (plus suspension or revocation)	\$500 (plus suspension or revocation)
6 RCNY § 2-105(b)	Failure of dealer in second-hand automobiles to post price of second-hand automobile according to required specifications	\$375*	\$500*	\$675	\$750	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-105(c)	Failure of dealer in second-hand automobiles to post price of add-on	\$375*	\$500*	\$675	\$750	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)

	products according to required specifications						
6 RCNY § 2-106	Failure to comply with requirements related to financing disclosures for second-hand automobiles	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-107	Failure to comply with requirements related to secondhand automobile contract cancellation option	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-108	Failure to comply with requirements related to secondhand automobile consumer bill of rights	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-109	Failure of second-hand automobile dealer to comply with records and reports requirements	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)

§ 17. The Pawnbrokers penalty schedule contained in Section 6-20 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-276	Employed clerk(s) under 16 years old	\$[375] <u>175</u>	[\$500] <u>175</u>	[\$450] <u>300</u>	[\$500] <u>300</u>	\$500	\$500
Admin Code § 20-277	Failure to comply with reports and recordkeeping requirements	\$[375] <u>175</u>	[\$500] <u>175</u>	[\$450] <u>300</u>	[\$500] <u>300</u>	\$500	\$500
Admin Code § 20-277.1	Failure to comply with requirements related to pawnbroker tickets	\$175	\$175	\$300	\$300	\$500	\$500
6 RCNY § 5-222	Improper caveats on pawn tickets	\$[375] <u>175</u>	[\$500] <u>175</u>	[\$450] <u>300</u>	[\$500] <u>300</u>	\$500	\$500
6 RCNY § 5-224	Improper proof of notice of intention to sell pledged property	\$[375] <u>175</u>	[\$500] <u>175</u>	[\$450] <u>300</u>	[\$500] <u>300</u>	\$500	\$500
6 RCNY § 5-226	Failure to meet requirements of acceptable forms of verification of pledgor's identity and required records	\$[375] <u>175</u>	[\$500] <u>175</u>	[\$450] <u>300</u>	[\$500] <u>300</u>	\$500	\$500

§ 18. Section 6-24 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York, relating to sales penalty schedule, is REPEALED.

§ 19. The Garages and Parking Lots penalty schedule contained in Section 6-25 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-321	Failure to have garage or parking lot license from [DCA] DCWP	\$100 per day	\$100 per day				
Admin Code § 20-324	Failure to meet requirements of rate schedule(s) or change of rates	\$[375] <u>175</u>	[\$500] <u>175</u>	[\$450] <u>300</u>	[\$500] <u>300</u>	\$500	\$500

Admin Code § 20-324(b)	Failure to post the required rates sign	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-325	Failure by transferring license to another or using license at another location	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-326	Failure to meet the requirement(s) of claim check(s)	\$[375] <u>0</u>	\$[500] <u>0</u>	\$[450] <u>175</u>	\$[500] <u>175</u>	\$[500] <u>300</u>	\$[500] <u>300</u>
Admin Code § 20-327	Failure to meet the requirement(s) for the number of vehicles, maximum capacity or the manner of storage	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-327.1(a), (b)(1), (b)(3), (c) through (i)	Failure to meet bicycle parking requirements	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-327.1(b)(2)	Failure to park bicycles at least 2 feet away from motor vehicles	\$0	\$0	\$175	\$175	\$300	\$300
Admin Code § 20-328	Unauthorized use of customer's vehicle	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-161	Failure to meet the requirement(s) for the operation of garages and parking lots.	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-161(g)(1)	Failure to post the required signs for separate entrances and exits	\$[375] <u>175*</u>	\$[500] <u>175*</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-161(g)(2)(vi)	Failure to post the required signage regarding business hours, capacity, or bicycle parking	\$[375] <u>175*</u>	\$[500] <u>175*</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-161(g)(2)(v)	Failure to post the required auxiliary signs	\$[375] <u>175*</u>	\$[500] <u>175*</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-161(g)(3)(1)	Failure to illuminate the parking garage and lot sign	\$[375] <u>175*</u>	\$[500] <u>175*</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
6 RCNY § 2-161(u)	Failure to post the bicycle parking waiver sign	\$[375] <u>175*</u>	\$[500] <u>175*</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500

§ 20. The Bingo Licensing Law penalty schedule contained in Section 6-26 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-341	Conducting games by organization other than an authorized organization	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-342	Failure to comply with restrictions upon conduct of bingo games	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
Admin Code § 20-346	Improper form, content or display of license	\$[375] <u>175</u>	\$[500] <u>175</u>	\$[450] <u>300</u>	\$[500] <u>300</u>	\$500	\$500
[Admin Code § 20-348]	[Conducting games prior to 6 p.m. on Sunday]	[\$375]	[\$500]	[\$450]	[\$500]	[\$500]	[\$500]

Admin Code § 20-349	Admission of or participation by persons under eighteen	\$[375] 0	\$[500] 0	\$[450] 175	\$[500] 175	\$[500] 300	\$[500] 300
Admin Code § 20-350	Conducting games in excess of permitted frequency or sale of alcohol beverages	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
Admin Code § 20-351	Operating or conducting games by improper persons or with improper equipment or improper expenditures	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
Admin Code § 20-352	Improper charge for admission, participation or game cards; improper award of prizes	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
Admin Code § 20-353	Improper advertising	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
Admin Code § 20-354	Improper filing or failure to file statements and receipts; failure to maintain records or to pay fee based on proceeds	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
Admin Code § 20-358	Failure to comply with other specified requirements	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500

§ 21. The Electronic or Home Appliance Service Dealer penalty schedule contained in Section 6-31 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-412	Operating business as an electronic or home appliance service dealer without a license	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-417(1) through (5)	Failure to comply with the duties of an electronic or home appliance service dealer licensee	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
Admin Code § 20-417(6)	Failure to display the required repair sign	\$175	\$175	\$300	\$300	\$500	\$500
Admin Code § 20-417(7)	Failure to carry required insurance	\$500	\$500	\$500	\$500	\$500	\$500
Admin Code § 20-420	Engaging in prohibited practices	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
6 RCNY § 2-251	Engaging in prohibited practices	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
6 RCNY § 2-252	Improper advertising by service dealers	\$[375] 175	\$[500] 175	\$[450] 300	\$[500] 300	\$500	\$500
6 RCNY § 2-253	Failure to display required information	\$[260] 175	\$[350] 175	\$[450] 300	\$[500] 300	\$500	\$500

6 RCNY § 2-253(a)(1)	Failure to display required information regarding service dealer's true identity	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-253(a)(2)	Failure to display required information regarding "cash only" or "cash or certified check" only policy	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-253(a)(3)	Failure to display required notice	\$(375) 175*	\$(500) 175*	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-254	Failure to comply with disclosure required for repairs made on licensee's premises	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-255	Failure to comply with disclosure required for repairs made in the customer's home	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-256	Failure to comply with estimated completion date requirements	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-257	Failure to comply with final bill requirements	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-258	Failure to give or maintain copies of documents	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-259	Improper return of removed parts	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-260	Failure to comply with the picture tubes requirements	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-261	Improper warranty or guarantees	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
6 RCNY § 2-262	Improper insurance coverage	\$(500) 175 (plus 0 to 15 day suspension)**	\$(500) 175 (plus 15 day suspension)	\$(500) 300 (plus 0 to 30 day suspension)**	\$(500) 300 (plus 30 day suspension)	\$500 (plus license revocation)**	\$500 (plus license revocation)

§ 22. The Electronic Stores penalty schedule contained in Section 6-35 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-485	Operating without an electronic store license	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-485.3	Engaging in prohibited practices	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
Admin Code § 20-485.4	Improper transfer of license	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
Admin Code § 20-485.5(a), (c),] and (d)	Failure to comply with the duties of a licensee	\$(375) 175	\$(500) 175	\$(450) 300	\$(500) 300	\$500	\$500
Admin Code § 20-485.5(b)	Failure to display selling price	\$(185) 50	\$(250) 50	\$(225) 175	\$(250) 175	\$250	\$250

<u>Admin Code § 20-485.5(c)</u>	<u>Failure to provide a receipt as required</u>	<u>\$0</u>	<u>\$0</u>	<u>\$175</u>	<u>\$175</u>	<u>\$300</u>	<u>\$300</u>
6 RCNY § 2-341	Failure to comply with regulations pertaining to gray market merchandise	[\$375] <u>175</u>	[\$500] <u>175</u>	[\$450] <u>300</u>	[\$500] <u>300</u>	\$500	\$500

§23. The Weights and Measures penalty schedule contained in Section 6-38 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-584	Improper use of weighing or measuring device that has not been marked by the Department.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
Admin Code § 20-585	Improper manufacturer or use of any dry or liquid measure unless it conforms to the standards provided by article sixteen of the agriculture and markets law.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
Admin Code § 20-587	Improper sale or offer for sale of any commodity or article of merchandise at or for a greater weight or measure than its true weight or measure.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
Admin Code § 20-590	Failure to repair a condemned weighing or measuring device.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
Admin Code § 20-591	Improper interference with inspector.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
<u>Admin Code § 20-595</u>	<u>Failure to comply with requirements for labels and signage</u>	<u>\$50</u>	<u>\$50</u>	<u>\$75</u>	<u>\$75</u>	<u>\$100</u>	<u>\$100</u>
6 RCNY § 3-10	Failure to supplement weight or measure.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-12	Failure to have information in English.	[\$75] <u>50*</u>	[\$100] <u>50*</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-21	Failure to meet the requirements of display of price by quantity.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-24	Failure to meet the requirement(s) for the use of scales or measuring devices in stores and markets.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-24(f)(2)	Failure to post sign informing customer that they may reweigh products	[\$75] <u>50*</u>	[\$100] <u>50*</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-25	Failure to retain inspection certificate(s)	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-41	Failure to meet the requirements for markings on prepackaged foods.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-42	Failure to meet the requirements for markings on bread weight.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-54	Failure to meet the requirement(s) for the sale of meat, poultry, and seafood.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100
6 RCNY § 3-55	Failure to meet the requirement(s) for labeling of frozen, defrosted or thawed and refrozen, meat, poultry, fish and products thereof.	[\$75] <u>50</u>	[\$100] <u>50</u>	[\$90] <u>75</u>	[\$100] <u>75</u>	\$100	\$100

6 RCNY § 3-57	Improper colored lighting on meats	[\$75] 50	[\$100] 50	[\$90] 75	[\$100] 75	\$100	\$100
6 RCNY § 3-72	Failure to meet the requirements of weighing device in laundry.	[\$75] 50	[\$100] 50	[\$90] 75	[\$100] 75	\$100	\$100
6 RCNY § 3-81	Failure to meet the requirements for the purchase of gold, silver or precious metal.	[\$75] 50	[\$100] 50	[\$90] 75	[\$100] 75	\$100	\$100
NY Agri & Mkts § 184	Improper use of a condemned device or improper removal, obstruction, or defacement of a condemnation tag.	\$450	\$600	\$1,080	\$1,200	\$1,200	\$1,200
NY Agri & Mkts § 185	Improper use, removal, or failure to remove a device in violation of order.	\$450	\$600	\$1,080	\$1,200	\$1,200	\$1,200
NY Agri & Mkts § 186	Improper possession of a false weighing or measuring device or system.	\$450	\$600	\$1,080	\$1,200	\$1,200	\$1,200
NY Agri & Mkts § 190	Failure to comply with regulations pertaining to the method of sale of food and food products	\$450	\$600	\$1,080	\$1,200	\$1,200	\$1,200
NY Agri & Mkts § 191	Improper standardized packaging	\$450	\$600	\$1,080	\$1,200	\$1,200	\$1,200
1 NYCRR § 221.3	Improper declaration of identity	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.4	Improper declaration of responsibility	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.5	Improper declaration of quantity	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.6	Failure to comply with regulations pertaining to consumer package prominence and placement	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.7	Failure to comply with regulations pertaining to nonconsumer package prominence and placement	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.11	Improper variation	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.12	Improper method of sale of commodities	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.13	Improper method of sale of specific commodities	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.14	Net contents of containers not indicated on the outside	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.15	Improper sales slip	\$300	\$400	\$720	\$800	\$800	\$800
1 NYCRR § 221.16	Improper use of coin-operated devices	\$300	\$400	\$720	\$800	\$800	\$800

§ 24. Section 6-43 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York, relating to sales of meats penalty schedule, is REPEALED.

§ 25. The Sale of Prepackaged Meat penalty schedule contained in Section 6-44 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code	Failure to meet the requirement(s) for the sales of prepackaged meat	[\$375] 300	[\$500] 300	[\$450] 400	[\$500] 400	\$500	\$500

§ 20-682(a)							
Admin Code § 20-682(b)	Failure to meet the signage requirement(s) for the sales of prepackaged meat	\$300	\$300	\$400	\$400	\$500	\$500
[6 RCNY § 4-41]	[Failure to meet the requirement(s) of custom meat grinding]	[\$375]	[\$500]	[\$450]	[\$500]	[\$500]	[\$500]
[6 RCNY § 4-42]	[Failure to meet the requirement(s) for sale of hamburger]	[\$375]	[\$500]	[\$450]	[\$500]	[\$500]	[\$500]

§ 26. The Perishable Foods penalty schedule contained in Section 6-45 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-685	Failure to meet the requirement(s) for the sale of perishable food	[\$125] <u>100</u>	[\$250] <u>100</u>	[\$225] <u>175</u>	[\$250] <u>175</u>	[\$250] <u>225</u>	[\$250] <u>225</u>
6 RCNY § 4-112	Failure to meet the requirement(s) for display	[\$125] <u>100</u>	[\$250] <u>100</u>	[\$225] <u>175</u>	[\$250] <u>175</u>	[\$250] <u>225</u>	[\$250] <u>225</u>
6 RCNY § 4-113	Failure to meet requirement(s) for labeling of perishable foods	[\$125] <u>100</u>	[\$250] <u>100</u>	[\$225] <u>175</u>	[\$250] <u>175</u>	[\$250] <u>225</u>	[\$250] <u>225</u>

§ 27. The Price Displays penalty schedule contained in Section 6-46 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-691	Failure to meet the requirements of price displays	[\$110] <u>50</u>	[\$150] <u>50</u>	[\$135] <u>100</u>	[\$150] <u>100</u>	\$150	\$150

§ 28. The Truth in Pricing Law penalty schedule contained in Section 6-48 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-708	Failure to display total selling price by tag or sign	[\$185] <u>50</u>	[\$250] <u>50</u>	[\$225] <u>175</u>	[\$250] <u>175</u>	\$250	\$250
Admin Code § 20-708.1(b)	Improper item pricing	\$18 (for each of the first 20 violations)*	\$500*	\$45 (for each of the first 20 violations within 60 days)	\$1,000 (within 60 days)	\$50 (for each of the first 20 violations within 60 days)	\$1,000 (within 60 days)
Admin Code § 20-708.1(d)	Improper scanner accuracy	\$260	\$350	\$500	\$500	\$500	\$500
Admin Code	Improper price accuracy	\$18 (for each of the first 20 violations)	\$500	\$45 (for each of the first 20 violations within 60 days)	\$1,000 (within 60 days)	\$50 (for each of the first 20 violations within 60 days)	\$1,000 (within 60 days)

§ 20-708.1(e)							
Admin Code § 20-709	Failure to display price per measure	[\$185] <u>50</u>	[\$250] <u>50</u>	[\$225] <u>175</u>	[\$250] <u>175</u>	\$250	\$250
6 RCNY § 5-113	Failure to meet the requirements of calculation and display price per measure	[\$185] <u>50</u>	[\$250] <u>50</u>	[\$225] <u>175</u>	[\$250] <u>175</u>	\$250	\$250
6 RCNY § 5-115	Failure to meet guidelines on multiple pricing	[\$185] <u>50</u>	[\$250] <u>50</u>	[\$225] <u>175</u>	[\$250] <u>175</u>	\$250	\$250

§ 29. The Posting of Prescription Drug Prices penalty schedule contained in Section 6-49 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
[Admin Code § 20-713]	[Improper display of prescription drug prices]	[\$375]	[\$500]	[\$675]	[\$750]	[\$750]	[\$750]
[6 RCNY § 5-121]	[Failure to meet the requirements for posting prescription drug prices]	[\$375]	[\$500]	[\$675]	[\$750]	[\$750]	[\$750]
6 RCNY § 5-122	Failure to meet the requirements for displaying information relating to emergency contraception	[\$375] <u>175</u>	[\$500] <u>175</u>	[\$675] <u>500</u>	[\$750] <u>500</u>	\$750	\$750

§ 30. The Availability for Sale of Advertised Merchandise penalty schedule contained in Section 6-51 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-727	Improper rain check issuance disclosure	[\$75] <u>25</u>	[\$100] <u>25</u>	[\$90] <u>50</u>	[\$100] <u>50</u>	\$100	\$100

§ 31. The Posting of Prices in Retail Service Establishments penalty schedule contained in Section 6-54 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York is amended to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-750(a)	Improper display of service prices	[\$185] <u>50</u>	[\$250] <u>50</u>	[\$450] <u>100</u>	[\$500] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin Code § 20-750(b)	Improper regular price list display	[\$185] <u>50</u>	[\$250] <u>50</u>	[\$450] <u>100</u>	[\$500] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin Code § 20-750(c)	Disclosure of differing prices based on gender	[\$185] <u>50</u>	[\$250] <u>50</u>	[\$450] <u>100</u>	[\$500] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>

Admin Code § 20-751	Failure to comply with base fee disclosure requirements	\$[185] 50	\$[250] 50	\$[450] 100	\$[500] 100	\$[500] 250	\$[500] 250
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§ 32. Section 6-68 of subchapter B of chapter 6 of title 6 of the rules of the city of New York is amended to read as follows:

§ 6-68 General Vendor Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by admitting to the violation, being found in violation in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Continued unlicensed activity, pursuant to Section 20-472(c)(1) of the Administrative Code, means a second or third or subsequent violation by the same respondent, whether by admitting to the violation, being found in violation in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third Violation	Third Default	Fourth and Subsequent Violation	Fourth and Subsequent Default
Admin. Code § 20-453	Unlicensed general vendor[- one occurrence of unlicensed activity], including continued unlicensed activity	\$250, plus \$250 per day	[\$1,000] 250, plus \$250 per day	[\$250] \$1,000, plus \$250 per day	\$1,000, plus \$250 per day	[\$250] \$1,000, plus \$250 per day	\$1,000, plus \$250 per day	[\$250] \$1,000, plus \$250 per day	\$1,000, plus \$250 per day
Admin. Code § 20-461(a)	Failure to carry & exhibit license on demand	[\$50] 25	[\$50] 25	[\$100] 50	[\$100] 50	[\$250] 100	[\$250] 100	[\$500] 250	[\$500] 250
Admin. Code § 20-461(b)	Failure to wear license conspicuously while vending	[\$50] 0	[\$50] 0	[\$100] 25	[\$100] 25	[\$250] 50	[\$250] 50	[\$500] 50	[\$500] 50
Admin. Code § 20-462	Failure to notify [DCA] DCWP of change of info. on license application	[\$50] 25	[\$50] 25	[\$100] 50	[\$100] 50	[\$250] 100	[\$250] 100	[\$500] 250	[\$500] 250
Admin. Code § 20-463	Failure to keep or produce required written record	[\$50] 25	[\$50] 25	[\$100] 50	[\$100] 50	[\$250] 100	[\$250] 100	[\$500] 250	[\$500] 250

Admin. Code § 20-464(a)	Failure to permit regular inspections	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-464(b)	Failure to provide name/address of manufacturer, supplier, distributor or place of storage	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-464(c)	Vending of prohibited goods	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-464(d)	Transfer of license without approval of Comm.	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(a)	Vending on sidewalk less than 12 ft. wide, or not at curb	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(b)	Using more than 8 ft. parallel to curb or 3 ft. from curb	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(c)	Stand or goods touching or leaning against building or structure	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(d)	Stand or goods against display window or within 20 ft. of entrance of any building or within 20 ft. from exits, including service exits, to buildings that are exclusively residential at street level	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(e)	Vending in bus stop, taxi stand, sidewalk next to a hospital or health facility no standing zone or within 10 ft. of drive/subway entrance or exit/corner	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(f)	Violation of parking rules and regulations	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(g)	Vending in prohibited zone or area	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(i)	Vending on median strip not intended for mall or plaza	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(j)	Vending within Parks jurisdiction without Parks Comm. approval	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(k)	Failure to move after notice of exigent circumstances given	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(m)	Vending over ventilation grill, cellar door, manhole, transformer vault or subway access grating	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code	Display of goods on sidewalk surface, blanket, trash receptacle, cardboard	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>

§ 20-465(n)	boxes or board placed on sidewalk surface; display exceeding 5 ft. in height from ground level; or less than 24 in. above sidewalk, or less than 12 in. above sidewalk where display is vertical; size of table or base less than size of display structure placed thereon; objects placed on base larger than size limitations of this section; area other than area under display surface used for storage								
Admin. Code § 20-465(o)	Vending from a parked motor vehicle	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(p)	Illegal use of electricity, electrical generating equipment, oil or gasoline powered equipment, machinery of any kind	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465(q)	Vending within 20 ft. of sidewalk cafes; within 5 ft. of bus shelters, newsstands, public telephones, disabled access ramps	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-465.1	Vending at times/places restricted by rule of Vendor Review Panel	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-466	Transfer of goods/vehicle/stand/pushcart to unlicensed vendor	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-474.1	Unlicensed distribution of goods to a vendor; unlicensed driver, operating on the distributor's behalf, fails to carry proof of the distributor's license or fails to comply with the General Vendor law/rules; failure to notify [DCA] DCWP within 10 days of changes to information in distributor's license application	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
Admin. Code § 20-474.2	Distributor's delivery vehicle without the required ID	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
6 RCNY § 2-302(a)	Failure to notify [DCA] DCWP after 4 or more violations	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
6 RCNY § 2-302(b)	Failure to notify [DCA] DCWP regarding failure to answer summons/appear for a hearing/pay penalty within 30 days	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
6 RCNY § 2-302(c)	Failure to notify [DCA] DCWP of change of address or telephone number	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
6 RCNY § 2-302(d)	Failure to notify [DCA] DCWP of supplier's address change	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
6 RCNY § 2-303(a)	Failure to keep daily gross receipts record	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>
6 RCNY § 2-303(b)	Failure to make records available to [DCA] DCWP	[\$50] <u>25</u>	[\$50] <u>25</u>	[\$100] <u>50</u>	[\$100] <u>50</u>	[\$250] <u>100</u>	[\$250] <u>100</u>	[\$500] <u>250</u>	[\$500] <u>250</u>

6 RCNY § 2-304(a)	Vending in road where parking/standing prohibited	\$[50] <u>25</u>	\$[50] <u>25</u>	\$[100] <u>50</u>	\$[100] <u>50</u>	\$[250] <u>100</u>	\$[250] <u>100</u>	\$[500] <u>250</u>	\$[500] <u>250</u>
6 RCNY § 2-304(b)	Failure to comply with parking meter requirement	\$[50] <u>25</u>	\$[50] <u>25</u>	\$[100] <u>50</u>	\$[100] <u>50</u>	\$[250] <u>100</u>	\$[250] <u>100</u>	\$[500] <u>250</u>	\$[500] <u>250</u>
6 RCNY § 2-304(c)	Vending near fire hydrant or in safety zone	\$[50] <u>25</u>	\$[50] <u>25</u>	\$[100] <u>50</u>	\$[100] <u>50</u>	\$[250] <u>100</u>	\$[250] <u>100</u>	\$[500] <u>250</u>	\$[500] <u>250</u>
6 RCNY § 2-306	Failure to move after notice of exigent circumstances given	\$[50] <u>25</u>	\$[50] <u>25</u>	\$[100] <u>50</u>	\$[100] <u>50</u>	\$[250] <u>100</u>	\$[250] <u>100</u>	\$[500] <u>250</u>	\$[500] <u>250</u>
6 RCNY § 2-307(a)	Misrepresentations concerning merchandise (Consumer Prot. Law)	\$[50] <u>25</u>	\$[50] <u>25</u>	\$[100] <u>50</u>	\$[100] <u>50</u>	\$[250] <u>100</u>	\$[250] <u>100</u>	\$[500] <u>250</u>	\$[500] <u>250</u>
6 RCNY § 2-307(b)	Failure to conspicuously display price exclusive of tax	\$[50] <u>25</u>	\$[50] <u>25</u>	\$[100] <u>50</u>	\$[100] <u>50</u>	\$[250] <u>100</u>	\$[250] <u>100</u>	\$[500] <u>250</u>	\$[500] <u>250</u>
6 RCNY § 2-307(c)	Failure to offer receipt for purchase	\$[50] <u>25</u>	\$[50] <u>25</u>	\$[100] <u>50</u>	\$[100] <u>50</u>	\$[250] <u>100</u>	\$[250] <u>100</u>	\$[500] <u>250</u>	\$[500] <u>250</u>
6 RCNY § 2-307(d)	Failure to retain duplicate copies of receipts	\$[50] <u>25</u>	\$[50] <u>25</u>	\$[100] <u>50</u>	\$[100] <u>50</u>	\$[250] <u>100</u>	\$[250] <u>100</u>	\$[500] <u>250</u>	\$[500] <u>250</u>
6 RCNY § 2-309	Failure to conspicuously wear license while vending	\$0	\$0	\$25	\$25	\$50	\$50	\$50	\$50
6 RCNY § 2-310	Vending on a restricted street	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
6 RCNY § 2-314	Vending on a restricted street	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
6 RCNY § 2-318	Failure to comply with requirements for use of general vendor helpers	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250

§ 33. Subchapter B of chapter 6 of title 6 of the rules of the city of New York is amended by adding a new section 6-75 to read as follows:

§ 6-75 Mobile Food Vendor Penalty Schedule.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Unless otherwise specified in this section or by law, a second, third, or fourth and subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

For violations marked with a single asterisk (*) a second, third, or fourth and subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within one year of the prior violation(s).

A person who commits three or more violations marked with a hashtag (#) within a two-year period is subject to mandatory revocation of their mobile food vending license pursuant to subdivision f of section 17-317 of the Administrative Code.

<u>Citation</u>	<u>Violation Description</u>	<u>First Violation</u>	<u>First Default</u>	<u>Second Violation</u>	<u>Second Default</u>	<u>Third Violation</u>	<u>Third Default</u>	<u>Fourth and Subsequent Violation</u>	<u>Fourth and Subsequent Default</u>
Admin Code § 16-118*	Litter in any street or public place	\$75	\$75	\$300	\$300	\$400	\$400	\$400	\$400
Admin Code § 17-307(a), (b) and (c)	Unlicensed or unpermitted vending	\$1,000 (plus \$100 per day)	\$1,000 (plus \$100 per day)						
Admin Code § 17-311(a), (b), (d), and (e)#	Failure to display license, permit, or letter grade	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
Admin Code § 17-311(c)	Failure to affix current letter grade or letter grade pending	\$500	\$500	\$500	\$500	\$500	\$500	\$500	\$500
Admin Code § 17-312#	Failure to make notification of change	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
Admin Code § 17-313#	Failure to follow bookkeeping requirements	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
Admin Code § 17-314#	Failure to comply with duties of licensees and permittees	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
Admin Code § 17-315#	Failure to comply with location restrictions	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
Admin Code § 17-316#	Improper transfer of food	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
Admin. Code § 20-465.1	Vending at times/places restricted by rule of Vendor Review Panel	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
Admin Code § 20-708	Failure to display price	\$50	\$50	\$100	\$100	\$250	\$250	\$250	\$250
6 RCNY § 2-314	Vending on a restricted street	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
6 RCNY § 5-32(c)	Failure to comply with receipt requirements	\$350	\$350	\$350	\$350	\$350	\$350	\$350	\$350
24 RCNY § 6-04#	Failure to comply with construction and equipment requirements	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250

24 RCNY § 6-05 [#]	Failure to comply with supplies and equipment requirements	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
24 RCNY § 6-06 [#]	Failure to comply with size and placement requirements	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
24 RCNY § 6-07 [#]	Failure to comply with green cart requirements	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
24 RCNY § 6-08 [#]	Failure to comply with facilities requirements	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
24 RCNY § 6-09 [#]	Failure to comply with requirements for lease agreements	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
24 RCNY § 6-12 [#]	Failure to comply with records requirements	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
24 RCNY § 6-19 [#]	Failure to post letter grades as required	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
24 RCNY § 6-20 [#]	Improper tampering with letter grade	\$25	\$25	\$50	\$50	\$100	\$100	\$250	\$250
New York City Health Code, Title 24 RCNY, Article 89.25	Failure to comply with garbage, refuse, and waste requirements	\$200	\$200	\$200	\$200	\$250	\$250	\$500	\$500
34 RCNY 4-08(h)(7)	Illegal vending in a parking space	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50

§ 34. Subchapter B of chapter 6 of title 6 of the rules of the city of New York is amended by adding a new section 6-76 to read as follows:

§ 6-76 Car Rentals Penalty Schedule.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified in this section or by law, a second, third, or fourth and subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

<u>Citation</u>	<u>Violation Description</u>	<u>First Violation</u>	<u>First Default</u>	<u>Second Violation</u>	<u>Second Default</u>	<u>Third and Subsequent Violation</u>	<u>Third and Subsequent Default</u>
Admin Code § 20-861	Failure to display notice of consumer rights	\$150	\$150	\$250	\$250	\$350	\$350

6 RCNY § 5-290(a)	Failure to comply with car rental reservation requirements	\$150	\$150	\$250	\$250	\$350	\$350
6 RCNY § 5-290(b) and (c)	Failure to meet the requirement(s) for a car rental business	\$150	\$150	\$250	\$250	\$350	\$350
6 RCNY § 5-290(d)	Failure to display the required notice of consumer rights or meet sign requirements	\$150	\$150	\$250	\$250	\$350	\$350

§ 35. Subchapter B of chapter 6 of title 6 of the rules of the city of New York is amended by adding a new section 6-77 to read as follows:

§ 6-77 Information Regarding Redemption of Beverage Containers Penalty Schedule.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified in this section or by law, a second, third, or fourth and subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-746	Failure to conspicuously display notice of rights and obligations of redeemers	\$150	\$150	\$150	\$150	\$150	\$150
6 RCNY § 5-191	Sign is smaller than required size	\$150	\$150	\$150	\$150	\$150	\$150
6 RCNY § 5-192	Sign does not include required content	\$150	\$150	\$150	\$150	\$150	\$150
6 RCNY § 5-194	Dealer does not use an approved substitute sign or does not include all required information on substitute sign	\$150	\$150	\$150	\$150	\$150	\$150
6 RCNY § 5-195	Sign is not conspicuously placed within 10 feet of cash register	\$150	\$150	\$150	\$150	\$150	\$150
6 RCNY § 5-196	Dealer does not have the appropriate number of signs for number of cash registers	\$150	\$150	\$150	\$150	\$150	\$150
6 RCNY § 5-197	Sign not available in other languages used to attract customers	\$150	\$150	\$150	\$150	\$150	\$150

§ 36. Subchapter B of chapter 6 of title 6 of the rules of the city of New York is amended by adding a new section 6-78 to read as follows:

§ 6-78 Information Regarding Room Air Conditioners Penalty Schedule.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified in this section or by law, a second, third, or fourth and subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
<u>Admin Code § 20-718</u>	<u>Failure to display required energy use or item information for room air conditioner for sale</u>	<u>\$0</u>	<u>\$0</u>	<u>\$25 per day</u>	<u>\$25 per day</u>	<u>\$25 per day</u>	<u>\$25 per day</u>
<u>Admin Code § 20-719</u>	<u>Failure to furnish upon request energy use or item information for room air conditioner for sale</u>	<u>\$0</u>	<u>\$0</u>	<u>\$25 per day</u>	<u>\$25 per day</u>	<u>\$25 per day</u>	<u>\$25 per day</u>
<u>Admin Code § 20-720</u>	<u>Failure to include energy use or item information for room air conditioner for sale in an advertisement within the city.</u>	<u>\$0</u>	<u>\$0</u>	<u>\$25 per day</u>	<u>\$25 per day</u>	<u>\$25 per day</u>	<u>\$25 per day</u>



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Hon. Peter A. Hatch

Re: Amendment of Penalties and Other Provisions Relating to Regulation of
Small Businesses

No. 2021 RG 074

Dear Commissioner Hatch:

Pursuant to New York City Charter § 1043 subd. c, the above-referenced rule has
been reviewed and determined to be within the authority delegated by law to your agency.

Sincerely,

/s/ Steven Goulden

STEVEN GOULDEN
Senior Counsel
Division of Legal Counsel

cc: Andrew Schwenk (DCWP)