



THE NEW BRONX CHAMBER OF COMMERCE, INC.

March 31, 2022

Commissioner Vilda Vera Mayuga
Department of Consumer and Worker Protection
42 Broadway
New York, NY 10004

Dear Commissioner Mayuga,

As the representative of small businesses in the Bronx, we are writing to ask the New York City Department of Consumer and Worker Protection to amend its recently issued proposed rule regulating third-party food delivery services. As it currently stands, this proposed rule goes far beyond the original intent of the City Council and will ultimately hurt many of our local businesses that rely on these platforms.

According to the proposed rules, delivery apps that help restaurants and small businesses expand their reach and customer base and deliver grocery items would be subject to the City Council laws passed in 2021 for all their deliveries while companies that only deliver grocery- and not from restaurants would be exempt despite their similar business models.

More plainly: under this legislation, two different delivery companies could fulfill the same order using the same delivery workers but be treated entirely differently under the proposed rules. We respect the City's and the Council's efforts to establish rules of the road, but we ask that you ensure parity for similar businesses under those very rules.

Moreover, the City Council laws that were passed unequivocally sought to regulate delivery from restaurants. By DCWP applying this law to all other parts of a third-party delivery service business, it is overreaching beyond the scope of the law.

Since the start of the pandemic, Bronx businesses have steadily relied on delivery services, giving them additional sources of revenue, and allowing them to find new customers. Third-party delivery services have served as a lifeline for small businesses and continue to help these businesses to create more revenue and expand their reach.

We're asking that DCWP amend its proposed rule to meet the clear intention of the City Council law that was passed. This legislation would set a dangerous precedent around how New York regulates businesses. Please take the time to consider the implications.

Thank you for the opportunity to submit testimony.

Lisa Sorin
President

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