

To NYC Department of Consumer and Worker Protection

The proposed regulations show that the DWCP would like to merge the renewal applications and inspection processes of the licensed pedicab businesses with the lottery winners.

The proposed regulations irrationally offer a very slow process by the DCWP which is not authorized in the NYC Administrative Code Section 20-251 (a) and will cause delays of the renewal applications and the inspection processes of the licensed pedicab businesses.

The proposed regulations do not comply with the NYC Administrative Code Section 20-251 (a) as the proposed regulations propose the omission of this paragraph from 6 RCNY Section 2-426A (c) (6):

“If this circumstance arises, the Commissioner will offer such registration plates to the applicant with the next priority number.”

NYC Administrative Code Section 20-251 (a) commands that “The commissioner shall accept application for registration plates, pursuant to section 20-255, provided that the total number of registration plates shall not exceed eight hundred and fifty.”

With the proposed omissions in 6 RCNY Section 2-426A (c) (6), the DCWP illegally proposes to keep the cap below the number 850 mandated in the pedicab law by not offering the registration plates to other interested applicants.

I respectfully request the DCWP to expedite the process in the proposed pedicab lottery regulations to avoid delays with the renewal applications and inspections of the licensed pedicab businesses.

I respectfully request the DCWP not to remove the paragraph “If this circumstance arises, the Commissioner will offer such registration plates to the applicant with the next priority number.” from 6 RCNY Section 2-426A (c) (6) to obey the command of the NYC Administrative Code Section 20-251 (a).

Below are my requested changes for the proposed pedicab lottery rules:

DCWP PROPOSED SECTION 2-426A (a)

[Each year within 90 days after the November 1 expiration date of pedicab registration plates] After the annual pedicab business license renewal period has ended, the Commissioner will determine the number of pedicab registration plates that have been issued to licensees. If the number is fewer than 840, the Commissioner will publish a notice in the City Record [a notice] by the first business day in April of each year requesting applications for pedicab registration plates to fill vacancies up to the legal limit of 850.

IBRAHIM DONMEZ PROPOSED SECTION 2-426A (a)

Each year within 90 days after the November 1 expiration date of pedicab registration plates, the Commissioner will determine the number of pedicab registration plates that have been issued to licensees. If the number is fewer than 840, the Commissioner will publish a notice in the City Record [a notice] by the first business day in February of each year requesting applications for pedicab registration plates to fill vacancies up to the legal limit of 850.

DCWP PROPOSED SECTION 2-426A (c) (2)

submits the completed application no later than 5:00 p.m. on the [20th business day following the publication of the notice in the City Record] the first business day in May of such year.

IBRAHIM DONMEZ PROPOSED SECTION 2-426A (c) (2)

submits the completed application no later than 5:00 p.m. on the [20th business day following the publication of the notice in the City Record] the first business day in March of such year.

DCWP PROPOSED SECTION 2-426A (c) (4)

When applications are selected by lottery pursuant to paragraph 1 of this subdivision, the Commissioner will offer registration plates to the winners of the lottery by the first business day in June of such year.

IBRAHIM DONMEZ PROPOSED SECTION 2-426A (c) (4)

When applications are selected by lottery pursuant to paragraph 1 of this subdivision, the Commissioner will offer registration plates to the winners of the lottery by the first business day in April of such year.

DCWP PROPOSED SECTION 2-426A (c) (5)

The Commissioner will issue [the] a registration plate to an applicant that has been offered such a plate when the applicant demonstrates that the pedicab complies with all registration requirements in this subchapter [within 45 days of when the offer was made]. The applicant must demonstrate such compliance by the first business day in August of such year.

IBRAHIM DONMEZ PROPOSED SECTION 2-426A (c) (5)

The Commissioner will issue [the] a registration plate to an applicant that has been offered such a plate when the applicant demonstrates that the pedicab complies with all registration requirements in this subchapter [within 45 days of when the offer was made]. The applicant must submit the insurance policy that provides coverage from the first day of May of the current year until the first day of November of the next year. The applicant must demonstrate such compliance by the first business day in May of such year.

DCWP PROPOSED SECTION 2-426A (c) (6)

The Commissioner's offer will become void, and the applicant will be removed from the registration plate application pool, if the applicant fails to [comply] demonstrate compliance with all registration requirements in this subchapter by the first business day in August of such year. [within 45 days after the offer has been made. If this circumstance arises, the Commissioner will offer such registration plates to the applicant with the next priority number.]

IBRAHIM DONMEZ PROPOSED SECTION 2-426A (c) (6)

The Commissioner's offer will become void, and the applicant will be removed from the registration plate application pool, if the applicant fails to [comply] demonstrate compliance with all registration requirements in this subchapter by the first business day in May of such year. If this circumstance arises, the Commissioner will offer such registration plates to the applicant with the next priority number by the first business day in June of such year.

IBRAHIM DONMEZ PROPOSED SECTION 2-426A (c) (8)

The commissioner will finish the inspections of the pedicabs of the lottery winners by the first business day in August of such year.

Respectfully Submitted,

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