

New York City Department of Consumer and Worker Protection

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to amend the rules governing general vendors by repealing certain provisions and aligning transaction documentation requirements with those of other NYC businesses.

When and where is the hearing? DCWP will hold a public hearing on the proposed rule. The public hearing will take place at 11:00AM on June 2, 2025. The public hearing will be accessible by phone and videoconference.

- To participate in the public hearing via phone, please dial +1 646-893-7101.
 - Phone conference ID: 441 285 023#
- To participate in the public hearing via videoconference, please follow the online link: <https://tinyurl.com/2n9757ca>.
 - Meeting ID: 264 347 756 541 8
 - Passcode: 9JC3t7VE

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **On the website.** You can submit comments to DCWP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Via email.** You can email comments to Rulecomments@dcwp.nyc.gov.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing Rulecomments@dcwp.nyc.gov. You can also sign up on the phone or videoconference before the hearing begins at 11:00AM on June 2, 2025. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit comments? Yes. You must submit any comments to the proposed rule on or before June 2, 2025.

What if I need assistance to participate in the hearing? You must tell DCWP’s External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You may tell us by email at Rulecomments@dcwp.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by May 26, 2025.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, all comments received by DCWP on the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/DCWP/about/public-hearings-comments.page>.

What authorizes DCWP to make this rule? Sections 1043 and 2203(f) of the New York City Charter (“Charter”) and Sections 20-104(e) and 20-471 of the New York City Administrative Code authorize the Department to make this proposed rule. This proposed rule was not included in the Department’s regulatory agenda for this Fiscal Year because it was not contemplated when the Department published the agenda.

Where can I find DCWP’s rules? The Department’s rules are in Title 6 of the Rules of the City of New York.

What laws govern the rulemaking process? DCWP must meet the requirements of Section 1043 of the Charter when promulgating or changing rules. This notice is made according to the requirements of Section 1043 of the Charter.

Statement of Basis and Purpose of Proposed Rule

The Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to repeal certain outdated provisions of the rules governing general vendors and to amend the provisions relating to transaction documentation requirements for such vendors. The rules governing general vendors currently include specific requirements relating to the provision of receipts to consumers. The proposed rule would repeal those requirements and instead clarify that general vendors must comply with 6 RCNY § 5-32, which requires that sellers offer receipts for certain retail purchases. The proposed rule would also repeal a section of the rules that requires general vendors to wear their identification cards since such section is duplicative of NYC Administrative Code section 20-461(b), which requires such vendors to wear a license that includes a photograph conspicuously at all times while operating as a general vendor. Finally, the proposed rule would repeal an obsolete section of the rules governing pushcart permit exemptions.

Sections 1043 and 2203(f) of the New York City Charter and Sections 20-104(e) and 20-471 of the New York City Administrative Code authorize the Department to make these proposed amendments.

New material is underlined.

[Deleted material is in brackets.]

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

Proposed Rule Amendments

Section 1. Section 2-307 of subchapter AA of Chapter 2 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 2-307 Practices.

(a) No general vendor shall make any misrepresentations concerning merchandise offered for sale. General vendors shall comply with all applicable provisions of the Consumer Protection Law (Title 20, Chapter 5, Subchapter 1 of the Administrative Code of The City of New York) and regulations promulgated under that law, including, but not limited to, 6 RCNY § 5-32, relating to documentation of transactions.

(b) All items sold or offered for sale by general vendors shall have conspicuously displayed, at the point of offering for sale, the total selling price exclusive of tax by means

(1) of a stamp, tag or label attached to the item or

(2) a sign at the point of display which indicates the item to which the price refers, provided that this information is plainly visible at the point of display for sale of the items so indicated.

[(c) Each general vendor shall offer a consumer a serially numbered receipt for any purchase. The receipt must include:

(1) the date of the purchase;

(2) the total amount of money and tax paid for the purchase;

(3) a description of the item purchased; and

(4) the license number of the vendor;

(5) a statement that complaints can be made to the Department of Consumer Affairs, (Insert the Department's current address and telephone number).

(d) Each vendor shall retain a duplicate copy of each receipt for the day which shall be produced for inspection upon request by police or other New York City personnel. The receipts shall be presented for review to the Department by the general vendor upon request, and the previous two years' receipts shall be produced when applying for renewal of a license.]

§ 2. Section 2-309 of subchapter AA of Chapter 2 of Title 6 of the Rules of the City of New York, relating to identification cards, is REPEALED.

§ 3. Section 2-311 of subchapter AA of Chapter 2 of Title 6 of the Rules of the City of New York, relating to pushcart permit exemptions, is REPEALED.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Rules Relating to General Vendors

REFERENCE NUMBER: 2025 RG 031

RULEMAKING AGENCY: Department of Consumer and Worker Protection

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose;
and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: April 17, 2025

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Rules Relating to General Vendors

REFERENCE NUMBER: DCWP-60

RULEMAKING AGENCY: Department of Consumer and Worker Protection

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

April 18, 2025
Date