

## **New York City Department of Consumer and Worker Protection**

### **Notice of Adoption**

Notice of Adoption by the Department of Consumer and Worker Protection of amendments to rules relating to general vendors.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer and Worker Protection by 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, and in accordance with the requirements of such Section 1043, that the Department amends and repeals provisions of chapter 2 of title 6 of the Rules of the City of New York.

This rule was proposed and published on May 1, 2025. A public hearing was held on June 2, 2025 and one comment supportive of the rule was received.

### **Statement of Basis and Purpose of Rule**

The Department of Consumer and Worker Protection (“DCWP” or “Department”) is repealing certain outdated provisions of its rules governing general vendors and amending provisions relating to the required documentation of transactions by such vendors in order to align such requirements with those that apply to other NYC businesses.

The rule clarifies that general vendors must comply with 6 RCNY § 5-32, which requires that sellers offer receipts for certain retail purchases. DCWP also repeals a section of the rules that requires general vendors to wear their identification cards since that 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. The rule also repeals an obsolete section 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 amendments.

### **Rule Amendment**

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.

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.