

**New York City Department of Small Business Services
Petitions for Agency Rulemaking**

NOTICE OF ADOPTION OF FINAL RULE REGARDING PETITIONS FOR AGENCY RULEMAKING

NOTICE IS HEREBY GIVEN in accordance with the requirements of section 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the New York City Department of Small Business Services (“DSBS”) by sections 1301 and 1043 of the New York City Charter, DSBS is adopting the following rules concerning petitions for rulemaking. DSBS published a Notice of Public Hearing and Opportunity to Comment on the proposed rules in the City Record on March 19, 2026. DSBS held a public hearing on April 28, 2026. DSBS received no comments from the public and has determined that no changes to the rules are necessary.

Statement of Basis and Purpose of Rule

DSBS is adopting rules to amend Title 66 of the Rules of the City of New York to implement Section 1043(g) of the New York City Charter, which permits any person to petition a city agency to consider the adoption of a rule and requires each agency to have rules creating a procedure for such petitions. Specifically, these adopted rules set forth the procedures that petitioners must follow when petitioning the Commissioner of DSBS to consider a new rule. These adopted rules also set forth the procedure DSBS must follow in considering and responding to petitions. Additionally, these rules require DSBS to deny or approve petitions within 60 days and set forth a procedure for rejecting or adopting petitions.

DSBS’ authority for these rules is found in sections 1301 and 1043 of the New York City Charter.

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.

Section 1. Title 66 of the Rules of the City of New York is amended by adding a new chapter 20 to read as follows:

CHAPTER 20 PETITIONS FOR AGENCY RULEMAKING

§ 20-01: Definitions.

As used in this chapter, the following terms have the following meanings:

DSBS. “DSBS” means the New York City Department of Small Business Services or its successor in function.

Person. “Person” means a natural person or a business entity, including but not limited to a corporation, trust, estate, partnership, cooperative, association, firm, club or society.

Petition. “Petition” means a request or application for DSBS to adopt a Rule.

Petitioner. “Petitioner” means the person who files a Petition.

Rule. “Rule” has the meaning set forth in § 1041 of the City Administrative Procedure Act.

§ 20-02: Procedure for submitting petitions.

(a) *Content of petitions.* Any person may petition DSBS to consider the adoption of a rule. The petition should be typewritten and must include the following information:

(1) A short statement of the purpose of the proposed rule, including an explanation of the problem or issue that the rule is intended to address and an explanation of how the proposed rule would serve to address the identified problem or issue;

(2) Proposed language for the rule;

(3) A short statement of any additional considerations that the Petitioner believes are relevant to DSBS’s determination on the petition;

(4) The name, address, telephone number, and email address of the Petitioner or the Petitioner’s authorized representative;

(5) The signature of the Petitioner or their representative.

(b) *Submission of petitions.* All petitions must be submitted to the Office of the General Counsel at the address/es identified on the DSBS website.

(c) *Notice of change of contact information.* The Petitioner must promptly notify DSBS of any change in their name, address, or telephone number during the period that the petition is under consideration by DSBS.

§ 20-03: DSBS Procedures for Considering and Responding to Petitions for Rulemaking.

(a) *Requests for supplemental information.* DSBS will determine whether additional information is required that would assist DSBS in assessing the petition and may contact the Petitioner to request any additional information that it determines may be helpful to its determination.

(b) *Timing of determinations.* If a petition is submitted in proper form, as required by § 20-02, within 60 days from the date of receipt of the petition, DSBS will either:

(1) deny the petition in writing, stating the reasons for denial; or

(2) approve the petition in writing, stating DSBS’s intention to initiate rulemaking, by a specified date, concerning the subject of the petition.

(c) *Determinations.* DSBS has full discretion to grant or deny any portion of a petition for proposed rulemaking and may amend or modify the petition's proposed language. If a petition is denied in full, DSBS will take no further action. DSBS's decision to deny or grant a petition is final and not subject to judicial review.