

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 repeal the current rule establishing a waitlist for general vendor licenses, and to replace it with a new rule and new waitlists to reflect the expansion of general vendor licenses under Local Law 54 of 2026. The Department is also proposing to add a rule that updates the penalty schedule for general vendors to implement Local Law 54 of 2026.

When and where is the hearing? DCWP will hold a public hearing on the proposed rules. The public hearing will take place at 11:00AM on August 19, 2026. 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: 910 010 302#
- To participate in the public hearing via videoconference, please follow the online link:
<https://tinyurl.com/y7bs9fu2>
 - Meeting ID: 233 975 418 807 385
 - Passcode: CL7DT3QT

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

- **Website.** You can submit comments to DCWP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to Rulecomments@dcwp.nyc.gov.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rules 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 August 19, 2026. 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 rules on or before **August 19, 2026**.

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 August 12, 2026

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 rules will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

What authorizes DCWP to make this rule? Sections 1043 and 2203(f) of the New York City Charter and Sections 20-104(b) and 20-471 of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these proposed rules. This proposed rule was not included in the Department of Consumer and Worker Protection’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 City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

To implement Local Law 54 of 2026, the Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to repeal the current rule establishing a waitlist for general vendor licenses, and to replace it with a new rule establishing new waitlists.

Local Law 54 of 2026 (LL 54) requires DCWP to make an additional 10,500 general vendor licenses available on January 15, 2027, setting the maximum number of general vendor licenses available to prospective eligible applicants at 11,353 – specifically 3,478 licenses authorizing general vending in all five boroughs and 7,875 licenses authorizing general vending in boroughs outside of Manhattan. The law directs DCWP to establish new waitlists for licenses designated for citywide use and those designated for use in boroughs outside of Manhattan. The law further provides that priority on these waitlists must be given to individuals currently on the existing general vendor license waitlist.

To implement these changes, the Department proposes a new rule establishing procedures for the new general vendor license waitlists, including provisions ensuring that individuals currently on the existing waitlist and individuals currently engaged in vending activity receive priority over new prospective applicants:

- Applicants on the existing waitlist will be offered the opportunity to apply for a general vendor license in order of existing priority number pursuant to LL 54. If the cap on the number of available licenses is reached before any such applicant is offered the opportunity to apply for a general license, such applicant will be placed on the newly established waitlist(s).
- Applicants not currently on the existing waitlist will be able to apply to join the new waitlist(s) from November 2, 2026, through December 16, 2026. The Department will randomize the waitlist applications received during this time and offer waitlist members the opportunity for a general vendor license based on license availability.
 - Interested waitlist applicants who are currently engaged in vending activity, either as a general vendor as defined in Section 20-452 or as a food vendor as defined in Section 17-306 of the Administrative Code, will also be able to join the waitlist(s) from November 2, 2026, through December 16, 2026. Such applicants will be randomized and assigned a priority number prior to other new prospective applicants.
- Beginning January 2027, the Department will open the waitlists again and accept waitlist applications in the order they are received.

Prospective waitlist applicants may request to be placed on both waitlists. The Department will reject any duplicate requests for the same list from the same person.

LL 54 also increases penalties for certain violations and adds new violations for cleanliness and waste removal. The Department is therefore also proposing to add a rule that updates the penalty schedule for general vendors. The proposed rule would, among other things:

- increase the fines for violations of Administrative Code sections 20-465(g), 20-465(i), and 20-465(j); and
- add two new violations for failure to keep the area around a vending vehicle clean and/or free from obstructions, and for failure to provide proof of proper waste disposal.

Sections 1043 and 2203(f) of the New York City Charter and Sections 20-104(b) and 20-471 of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these proposed rules.

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.

Proposed Rule Amendments

Section 1. Section 2-319 of chapter 2 of Title 6 of the Rules of the City of New York, relating to waiting list for general vendor licenses, is REPEALED and a new section 2-319 is added, to read as follows:

§ 2-319 Waitlists for White and Green General Vendor Licenses.

(a) Definitions. As used in this section, the following terms have the following meanings:

“Green general vendor license” means a general vending license that authorizes general vending in boroughs outside of Manhattan pursuant to section 20-459(d)(1) of the Administrative Code.

“White general vendor license” means a general vending license that authorizes vending in all boroughs pursuant to section 20-459(a) and section 20-459(d)(1) of the Administrative Code.

(b) The Department will establish and maintain waitlists of prospective applicants pursuant to section 20-459(e) of the Administrative Code for general vendor licenses that become available to individuals who are eligible pursuant to such section.

(c) License Categories and Numerical Limits. The maximum number of general vendor licenses available to prospective applicants is 11,353. Such licenses will be divided into two categories as follows:

(1) the number of white general vendor licenses is capped at 3,478; and

(2) the number of green general vendor licenses is capped at 7,875.

(d) Offer of Available Licenses to Prospective Applicants on Existing Waitlist. The Department will offer all prospective applicants on the existing waitlist who have already been assigned a priority number the

opportunity to submit an application for a general vendor license pursuant to section 20-459 of the Administrative Code.

(1) The Department will issue white general vendor licenses to applicants in priority order until all such available white general vendor licenses are issued pursuant to the cap in subdivision c of this section. The Department shall then issue green general vendor licenses to remaining eligible applicants until the cap of 7,875 is reached. General vendor licenses approved pursuant to this subsection shall be effective January 15, 2027.

(2) Prospective applicants on the existing waiting list who receive a green general vendor license pursuant to this subdivision will also be placed on the newly established white general vendor license waitlist.

(e) Initial Period for New Prospective Applicants to Request to be Placed on Waitlists.

(1) Beginning November 2, 2026, and ending at 5 p.m. on December 16, 2026, the Department will accept requests from new prospective applicants to be placed on the newly established white general vendor license waitlist and the newly established green general vendor license waitlist. New prospective applicants may request to be placed on both waitlists. The Department will reject any duplicate requests for the same list from the same person.

(2) New prospective applicants requesting to be placed on such new waitlists may certify, in a form and manner as determined by the Commissioner, whether such prospective applicant engaged in vending activity as a general vendor as defined in section 20-452 or as a food vendor as defined in section 17-306 of the Administrative Code at any time between January 29, 2025 and November 2, 2026. Upon request, the applicant may be required to make records available to the Department to establish the accuracy of their certification and show proof of prior vending activity.

(3) If the number of new prospective applicants is more than 3,478 (the available licenses pursuant to the caps set forth in subdivision c of this section) the Department will randomize the order of new prospective applicants for available licenses and for placement on the white general vendor license waitlist and the green general vendor license waitlist by assigning a priority number using a computer-generated random number selection program. New prospective applicants who certify engagement in vending activity as described by subdivision (e)(2) of this section will be assigned priority numbers using a computer-generated random number selection program ahead of other new prospective applicants.

(4) The Department will notify all new prospective applicants of their number on the waitlist in writing to the mailing address or email address provided in the waitlist application.

(5) Pursuant to section 20-459(f) of the Administrative Code, prospective applicants who were placed on the white general vendor license waitlist pursuant to subdivision d of this section shall not be included in the randomization and will be issued white or green general vendor licenses in priority order ahead of new prospective applicants that submit requests pursuant to this subdivision.

(f) Subsequent Requests to be Placed on Waitlists. Beginning January 15, 2027, an individual seeking a general vendor license may apply to be placed on the white general vendor license waitlist, the green general vendor license waitlist or both such waitlists. Prospective applicants shall be assigned priority numbers in

the order in which complete requests are received and will not be randomized. The Department shall reject any duplicate requests from the same person for the same waiting list.

(g) Offer of Available General Vendor Licenses to Applicants on Waitlists. The Department will offer the opportunity to apply for available general vendor licenses to prospective applicants on the white general vendor waitlist and green general vendor waitlist in the order of their prospective applicant rank pursuant to subdivisions c and d of this section. The Department will provide written notice of the offer at the address provided in the prospective applicant's request or in the change of address submitted in writing pursuant to the form made available by the Department. An offer to apply is only valid for the individual selected by the Department and cannot be transferred to another person.

Such notice shall specify that:

(1) The prospective applicant must submit a completed general vendor application, together with required fees, within 90 days of the date of the offer; and

(2) If the Department does not receive the completed application and required fees within the specified time period, the offer will be deemed refused and the waitlist position surrendered. The Department will not reinstate a waitlist position once an offer to submit a general vendor license application has been deemed refused.

(h) Issuance of Licenses from Waitlists. The Department will issue white and green general vendor licenses in priority order from their respective waitlists to prospective applicants who successfully complete the general vendor application within the required timeframe, pay all related fees and satisfy all other eligibility criteria set forth in the applicable laws and rules.

(i) Surrender of Green General Vendor License Upon Issuance of White General Vendor License. Any green general vendor license holder who is selected to receive a white general vendor license from the waitlist must surrender the green general vendor license upon issuance of the white general vendor license.

(j) Duty to Update Contact Information. A prospective applicant must notify the Department within 10 business days if there has been a change in such applicant's contact information.

(k) Withdrawal From Waitlists. A prospective applicant may withdraw from a waitlist by providing written notice to the Department's Licensing Division in person or by mail or email.

§ 2. The table set forth in section 6-68 of chapter 6 of Title 6 of the Rules of the City of New York is amended and new rows are added in numerical order, to read as follows:

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third Violation	Third Default	Fourth and Subsequent Violation	Fourth and Subsequent Default
Admin. Code § 20-465(g)	Vending in prohibited zone or area	[\$25] <u>\$50</u>	[\$25] <u>\$50</u>	[\$50] <u>\$100</u>	[\$50] <u>\$100</u>	[\$100] <u>\$200</u>	[\$100] <u>\$200</u>	[\$250] <u>\$400</u>	[\$250] <u>\$400</u>

Admin. Code § 20-465(h)	Vending in bicycle lane	<u>\$50</u>	<u>\$50</u>	<u>\$100</u>	<u>\$100</u>	<u>\$200</u>	<u>\$200</u>	<u>\$400</u>	<u>\$400</u>
Admin. Code § 20-465(i)	Vending on median strip not intended for mall or plaza	[<u>\$25</u>] <u>\$50</u>	[<u>\$25</u>] <u>\$50</u>	[<u>\$50</u>] <u>\$100</u>	[<u>\$50</u>] <u>\$100</u>	[<u>\$100</u>] <u>\$200</u>	[<u>\$100</u>] <u>\$200</u>	[<u>\$250</u>] <u>\$400</u>	[<u>\$250</u>] <u>\$400</u>
Admin. Code § 20-465(j)	Vending within Parks jurisdiction without Parks Comm. approval	[<u>\$25</u>] <u>\$50</u>	[<u>\$25</u>] <u>\$50</u>	[<u>\$50</u>] <u>\$100</u>	[<u>\$50</u>] <u>\$100</u>	[<u>\$100</u>] <u>\$200</u>	[<u>\$100</u>] <u>\$200</u>	[<u>\$250</u>] <u>\$400</u>	[<u>\$250</u>] <u>\$400</u>
Admin. Code § 20-465.3(a)	Failure to keep area around vending vehicle clean and/or free from obstructions	<u>\$25</u>	<u>\$25</u>	<u>\$50</u>	<u>\$50</u>	<u>\$100</u>	<u>\$100</u>	<u>\$250</u>	<u>\$250</u>
Admin. Code § 20-465.3(b)	Failure to provide proof of proper waste disposal	<u>\$25</u>	<u>\$25</u>	<u>\$50</u>	<u>\$50</u>	<u>\$100</u>	<u>\$100</u>	<u>\$250</u>	<u>\$250</u>

**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 Vendor Waitlists

REFERENCE NUMBER: 2026 RG 039

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: July 9, 2026

**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 Vendor Waitlists

REFERENCE NUMBER: DCWP-76

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

July 9, 2026
Date