

New York City Department of Consumer and Worker Protection

Notice of Adoption

Notice of Adoption to repeal the current rule establishing a waitlist for general vendor licenses, and to replace it with a new rule creating new waitlists to reflect the expansion of general vendor licenses under Local Law 54 of 2026, and updating the penalty schedule for 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(d) of the New York City Charter, and section 20-702 of the New York City Administrative Code, and in accordance with the requirements of section 1043 of the New York City Charter, that the Department amends Title 6 of the Rules of the City of New York.

This rule was proposed and published on July 20, 2026. A public hearing was held on August 19, 2026. The Department received numerous comments and public testimony from the general vendor community, vending advocates, and other stakeholders, as detailed below.

Statement of Basis and Purpose of Rule

The Department of Consumer and Worker Protection (“DCWP” or “Department”) is repealing the current rule establishing a waitlist for general vendor licenses and replacing it with a new rule establishing new waitlists to reflect the expansion of general vendor licenses under Local Law 54 of 2026.

Local Law 54 of 2026 (LL 54) requires DCWP to make an additional 10,500 general vendor licenses available starting 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 is 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 currently act as a general vendor as defined in Section 20-452 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 March 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 therefore adds a rule that updates the penalty schedule for general vendors. The rule, among other things:

- increases the fines for violations of Administrative Code sections 20-465(g), 20-465(i), and 20-465(j); and
- adds 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.

A public hearing was held on August 19, 2026, and the Department received numerous comments from the general vendor community, vending advocates, and other stakeholders.

Specifically, the Department received comments from members of the Street Vendor Project at the Urban Justice Project, the general public, and Council Member Pierina Ana Sanchez expressing support for the expansion of general vendor licenses and the prioritization of existing longtime vendors, but also sharing concerns that self-certification alone would be insufficient to establish prior vending activity. The Department agrees with these concerns, and the final rule under section 2-319(e)(2) authorizes the Department to demand proof of required vending activity and defines what proof may be acceptable. Vending advocates also commented that priority for current vending should be limited to current general vendors only. The Department agrees and has amended the language in the final rule accordingly.

The Department also received comments and public testimony suggesting that the application process be made more accessible by addressing language barriers and the digital literacy of prospective applicants. Submitted testimony and comments also raised concerns regarding public safety and enforcement, among other issues. While the Department takes note of such comments and has listened to all public testimony, those recommendations fall outside the scope of this rulemaking. Additionally, the Department strives to ensure that language access is always available to all applicants and licensees.

To allow for sufficient time to offer licenses to prior waitlist applicants and review applications submitted between November 2, 2026, through December 16, 2026 to join the new waitlists, the final rule states that the new waitlists will reopen on March 15, 2027.

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. 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 Waitlist 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.

“Proof of prior vending activity” includes credible documentation or evidence establishing that the applicant engaged in activity of a general vendor as defined in section 20-452 of the Administrative Code on a specific date and may include, but is not limited to, date-stamped pictures of the applicant engaged in general vending; past civil or criminal summonses or decisions from an administrative tribunal or court documenting general vending activity; receipts of wholesale purchases of merchandise for general vending; letters from individuals familiar with the applicant’s vending activity, such as elected officials, community leaders, or nonprofit organizations, stating that the applicant is known to have engaged in general vending; a Certificate of Authority to collect sales taxes in New York State used for general vending activity; or New York State tax filings for sales made as a general vendor.

(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 of the Administrative Code at any time between January 29, 2025 and November 2, 2026, and that such prospective applicant possesses proof of prior general vending activity. Upon request, the Department may require the applicant to submit proof of prior vending activity to establish the accuracy of the certification required by this subdivision. If the Department requires proof of prior vending activity and the applicant or licensee fails to submit such proof or fails to submit proof that properly establishes prior vending activity, the Department may deny the application or revoke the license.

(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 March 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 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>