

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 add rules to prohibit certain deceptive or unconscionable trade practices prevalent in the provision of customer service due to the increasing use of automated customer service systems. The Department is also clarifying that no person can avoid liability for failing to comply with local laws and rules by claiming a particular technology caused or assisted in violative acts or omissions.

When and where is the hearing? DCWP will hold a public hearing on the proposed rules. The public hearing will take place at 11:00 AM on November 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: 886 506 734#
- To participate in the public hearing via videoconference, please follow the online link:
 - Meeting link: <https://tinyurl.com/5e2m7k2c>
 - Meeting ID: 213 525 864 272 361
 - Passcode: PC7nd79A

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 11:00 AM on November 19, 2026. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes. You must submit any comments to the proposed rules on or before **November 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 **November 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 20-702 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

The Department of Consumer and Worker Protection ("DCWP" or the "Department") is proposing to add rules to prohibit certain deceptive and unconscionable trade practices that have become widespread with the proliferation of automated customer service systems.

Pursuant to its authority under the Consumer Protection Law (Subchapter 1 of Chapter 5 of Title 20 of the Administrative Code of the City of New York), the Department is proposing rules that would make it a deceptive and unconscionable trade practice to make representations that customer service is available to only repeatedly and unreasonably direct consumers to menus that fail to address consumers' inquiries or respond to consumers' inquiries with unresponsive, irrelevant, or erroneous information.

Because automated customer service systems have a high propensity to fail to address the consumer's issue, inquiry, or desired outcome, the rules establish a rebuttable presumption that the use of such automated technology alone in providing customer service is a deceptive and unconscionable trade practice, and this presumption would apply unless the merchant offers consumers an option to interact with a human representative. This rebuttable presumption would protect consumers while still allowing the use of new technologies.

The Department is also clarifying that falsely representing that customer service is available via a specific means of communication is a violation of the Consumer Protection Law.

The Rise of Automated Customer Service Systems

The invention of interactive voice response systems in the 1970s first introduced automation to customer service,¹ and the recent and dramatic rise of the use of “rules-based” chatbots and artificial intelligence in customer service has accelerated this trend towards automation.²

Rules-based chatbots function by employing if-then logic and thus use “predefined combinations of question-and-answer options” to understand and respond to a user’s input.³ Rules-based chatbots cannot be preprogrammed “for every possible query,” and “often get stuck when they can’t understand the user’s request.”⁴

Large Language Models (“LLMs”), another kind of automated system, function as “statistical machines” and “make predictions by generalizing on the basis of learnt associations, leading them to produce answers that are plausible, but sometimes wrong.”⁵ These “[h]allucinations are a result of the fundamental way in which LLMs work.”⁶

These technologies have had mixed performances when it comes to providing customer service. According to a report from Gartner—an information services advisory firm—chatbots’ ability to resolve customer service issues range from a low of 17% regarding billing disputes to a high of 58% for returns or cancellations.⁷ According to a survey by Twilio, “40% of consumers say AI repeats itself or gets stuck in loops.”⁸ A survey conducted by UJET, a cloud contact service provider, found that 72% of consumers characterized their interactions with a chatbot as a

¹ Action AI, *The demise of IVR and the future of voice* (Feb. 15, 2023), <https://action.ai/the-demise-of-ivr-and-the-future-of-voice/>.

² Naveen Joshi, *Choosing Between Rule-Based Bots and AI Bots*, FORBES (Feb. 23, 2020), <https://www.forbes.com/sites/cognitiveworld/2020/02/23/choosing-between-rule-based-bots-and-ai-bots/>; Markets and Markets, *AI for Customer Service Market*, (Feb. 2025), <https://www.marketsandmarkets.com/Market-Reports/ai-for-customer-service-market-244430169.html> (predicting that the market will have a compound annual growth rate of 25.8% through 2030); Scott Budman, *Salesforce CEO confirms 4,000 Layoffs ‘because I need less heads’ with AI*, CNBC (Sept. 2, 2025), <https://www.cnbc.com/2025/09/02/salesforce-ceo-confirms-4000-layoffs-because-i-need-less-heads-with-ai.html> (reporting that Salesforce cut 4000 customer service support roles relying instead on an “Agentforce” of customer service bots); Sasha Rogelberg, *The AI boom hasn’t stopped U.S. companies from hiring cheap offshore labor, and overseas call center employment is still skyrocketing*, FORTUNE (May 17, 2026) <https://fortune.com/2026/05/17/ai-boom-cheap-offshore-call-center-labor-employment-jeavons-paradox/> (explaining that not all use of AI in customer service aims to replace a human, some of it seeks to augment their productivity).

³ IBM, *6 types of chatbots and how to choose the right one for your business*, <https://www.ibm.com/think/topics/chatbot-types> (last visited Aug. 26, 2026).

⁴ *Id.*

⁵ Elizabeth Gibney, *Will AI Ever Stop Making up Citations? GPT-5 Offers Hope*, NATURE (Sept. 8, 2025), <https://www.nature.com/articles/d41586-025-02853-8>.

⁶ *Id.*

⁷ Gartner, *Gartner Survey Reveals Only 8% of Customers Used a Chatbot During their Most Recent Customer Service Interaction*, (June 15, 2023), <https://www.gartner.com/en/newsroom/press-releases/2023-06-15-gartner-survey-reveals-only-8-percent-of-customers-used-a-chatbot-during-their-most-recent-customer-service-interaction>.

⁸ Twilio, *Inside the Conversational AI Revolution*, <https://www.twilio.com/en-us/report/Inside-the-Conversational-AI-Revolution> (last visited Sept. 24, 2026).

“complete waste of time,” and 63% indicated that their interaction did not result in a resolution.⁹ Likewise, a YouGov survey found that 50% of respondents “rarely or never get successful customer service outcomes when interactions are AI-only.”¹⁰ Moreover, although this technology is rapidly evolving, since 2021, the number of consumers using AI-powered customer support who say the technology has saved them time or provided useful information has actually *declined* by 10%, and the number who say they did not receive any benefits from it has *increased* by 13%.¹¹

Failure to Provide Customer Service

The use of automated customer service systems to provide customer service too often results in “doom loops,” maze-like processes, or in factually incorrect representations.¹² This causes consumers to waste significant time, suffer delayed or denied dispute resolution, and, in some cases, to sustain financial harm—including from unresolved billing errors, unauthorized charges, inability to obtain refunds, and account access failures.

Making matters worse, many of the businesses which use these automated customer service systems present the illusion that they are offering consumers the benefit of supportive customer service designed to help consumers and resolve their complaints or questions, when, in reality, the system may not be actually capable of providing the consumer the service they seek or require. Thus, in offering or advertising “customer service” only to then provide unhelpful automated responses or endless general menus, these businesses are “directly or indirectly deceiving or misleading consumers.”¹³ Consumers’ perception that a business offers customer service may also play a role in convincing the consumer to engage in a transaction, only to then be disappointed by the automated customer service system that fails to actually provide customer service in any meaningful way. Hence, this deception regularly occurs in connection with the “offering for sale, lease, rental, or loan of consumer goods or services.”¹⁴

⁹ Chris Westfall, *Chatbots And Automations Increase Customer Service Frustrations For Consumers At The Holidays*, FORBES (Dec. 07, 2022), <https://www.forbes.com/sites/chriswestfall/2022/12/07/chatbots-and-automations-increase-customer-service-frustrations-for-consumers-at-the-holidays/?sh=7490724132f6>.

¹⁰ Emma Woollacott, *Your customers aren’t keen on that customer service chatbot you introduced – here’s why*, ITPRO (Feb. 26, 2026), <https://www.itpro.com/technology/artificial-intelligence/your-customers-arent-keen-on-that-customer-service-chatbot-you-introduced-heres-why>.

¹¹ Qualtrics, *2026 global consumer experience trends revealed*, (Oct. 7, 2025), <https://www.qualtrics.com/articles/customer-experience/global-consumer-experience-trends/>.

¹² Consumer Financial Protection Bureau, *Chatbots in consumer finance* (June 6, 2023), <https://www.consumerfinance.gov/data-research/research-reports/chatbots-in-consumer-finance/chatbots-in-consumer-finance/>; Emma Woollacott, *Your customers aren’t keen on that customer service chatbot you introduced—here’s why*, ITPRO (Feb. 26, 2026), <https://www.itpro.com/technology/artificial-intelligence/your-customers-arent-keen-on-that-customer-service-chatbot-you-introduced-heres-why>; Kevin Williams, *‘I hate customer-service chatbots’: The consumer-AI refund relationship is off to a rocky start*, CNBC (April 1, 2026), <https://www.cnbc.com/2026/04/01/ai-chatbot-customer-service-complaints-refunds.html>; Groundwork Collaborative, *Taking on the Annoyance Economy* (Feb. 9, 2026), <https://groundworkcollaborative.org/work/taking-on-the-annoyance-economy/>.

¹³ § 20-701(a) of the New York City Administrative Code.

¹⁴ § 20-701(a) of the New York City Administrative Code; Tue Sottrup, *AI in Customer Service: Billion-Dollar Mistake When Deployed Wrong*, CMSWIRE (Oct. 29, 2025), <https://www.cmswire.com/customer-experience/ai-in-customer-service-billion-dollar-mistake-when-deployed-wrong/>; Gary Drenik, *These Chatbot Mistakes Could Cost You Consumers*, FORBES (Aug. 21, 2025), <https://www.forbes.com/sites/garydrenik/2025/08/21/these-chatbot-mistakes-could-cost-you-customers/>.

In addition, if a consumer is seeking to resolve an issue with a product or service, such as a defective product or inadequate provision of service, and the consumer is unable to obtain a refund or exchange, this effectively results in a “gross disparity between the value received by a consumer and the price paid.”¹⁵ This is especially true if the merchant represents that they offer customer service but then the consumer is not provided a meaningful way of communicating to the merchant the issue they are experiencing with a product or service, or if the merchant’s customer service system does not respond to the consumer in a meaningful way, meaning that the merchant will not be able to provide the “properly anticipated benefits from the goods or services involved.”¹⁶

Other regulators and judicial enforcers have also acted to protect consumers from these types of obtuse or unresponsive customer service.¹⁷

Other Rules Concerning Automated Customer Service Systems and Related Technologies

In some circumstances, it may not be immediately apparent to a consumer that they are communicating with an automated customer service system instead of another human. The proposed rule therefore would require that businesses who offer customer service via an automated customer service system provide upfront disclosure that consumers are engaging with such automated system. Similar measures have been adopted in California, Maine, New Jersey, and Utah.¹⁸ Such awareness will enable consumers to better understand at the beginning of an interaction what type of customer service can be expected. Consumers who know from the outset that they are talking with an automated customer service system “adjust their language and expectations accordingly.”¹⁹ Given the issues that automated customer service systems have in resolving more complex customer service issues—as discussed above—consumers with such issues will better understand customer service limitations. Thus, requiring upfront disclosure would prevent consumers from wasting time and allow consumers to more quickly be able to seek assistance from an appropriate channel.²⁰

Finally, because some businesses have sought to avoid responsibility for their actions by taking advantage of a perceived responsibility gap caused by new technologies,²¹ the Department is also

¹⁵ § 20-701(b) of the New York City Administrative Code (defining “Unconscionable trade practice”).

¹⁶ *Id.*

¹⁷ See, e.g., Compl., *Federal Trade Commission v. 1661, INC.*, No. 2-24-cv-10329, (C. D. Cal. Dec. 2, 2024) (alleging that defendant’s practice of forcing consumers to submit multiple emails and engage over several days or weeks in order to return deficient products when it had a policy providing for the return of deficient products was deceptive and unfair); Cal. Bus. & Prof. Code § 22599.1(f) (requiring that if an automated system is unable to address customer concerns, food delivery platforms promptly connect them with a natural person); *State ex rel. Petro v. Level Propane Gases, Inc.*, No. 01-CVH 01-018, 2003 WL 24289604, at *3 (Ohio Com. Pl. Nov. 24, 2003) (“failing to respond to valid consumer complaints and/or to provide adequate customer service within a reasonable period of time is an unfair and deceptive act”).

¹⁸ Cal. Bus. & Prof. Code § 17941; Me. Rev. Stat. Ann. tit. 10, § 1500-DD; NJ Stat. Ann. § 56:18-2; Utah Code Ann. § 13-77-103.

¹⁹ Customer Management Practice, *Opening the Black Box: Why AI Transparency is the New Customer Service Experience*, (Feb. 27, 2026), <https://www.customermanagementpractice.com/blog/ccw/ai-transparency/>.

²⁰ Jesse Sumrak, *How to disclose AI to customers without killing the conversation*, TWILIO (Sept. 01, 2026), <https://www.twilio.com/en-us/blog/insights/how-to-disclose-ai-to-customers>.

²¹ Joshua L.M. Brand, *Air Canada’s chatbot illustrates persistent agency and responsibility gap problems for AI*, AI & SOCIETY (Oct. 23, 2024), <https://link.springer.com/article/10.1007/s00146-024-02096-7>; see Utah Code Ann. § 13-77-102.

clarifying in the proposed rule that regulated persons cannot avoid legal obligations by blaming the use of a particular technology.²²

Authority

Sections 1043 and 2203(d) of the New York City Charter and sections 20-701 and 20-702 of the New York City Administrative Code authorize DCWP 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. Chapter 5 of Title 6 of the Rules of the City of New York is amended by adding a new section 5-02 to read as follows:

§ 5-02 Responsibility for Use of Technology.

(a) It is not a defense for any violation of the requirements of this Title of the Rules of the City of New York and of any local law or statute within the jurisdiction of the department that a person directly or indirectly used or relied on a technology that:

- (1) Made claims, representations, or offers;
- (2) Omitted statements or information;
- (3) Undertook the violative act; or
- (4) Assisted in the furtherance of the violation.

§ 2. Chapter 5 of Title 6 of the Rules of the City of New York is amended by adding a new subchapter U to read as follows:

Subchapter U. Customer Service.

§ 5-310 Definitions.

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

Automated customer service system. “Automated customer service system” means any technology used to provide consumers with customer service where all or substantially all the communication to the consumer is made by such technology rather than by a natural person.

Covered interaction. “Covered interaction” means any interaction between a consumer and an automated customer service system.

Customer service. “Customer service” means assistance by a merchant to a consumer, in response to an inquiry from such consumer, regarding a product, service, account, refund, billing matter,

²² Using a specific technology has never provided a safe harbor under the Consumer Protection Law or any other law within the jurisdiction of the Department. This proposed rule makes this principle explicit.

complaint, cancellation request, fraud claim, or dispute in relation to the sale or purchase of a good or service.

Single-step transfer mechanism. “Single-step transfer mechanism” means a clearly identified, accessible option consisting of a single step—including but not limited to a button, voice command, or menu selection—that, when activated by the consumer at any point during a covered interaction:

- (1) Initiates transfer to, or queuing for, a human representative; and
- (2) Does not require the consumer to complete additional automated steps, answer additional questions, provide justification for the transfer request, or navigate additional menus or processes prior to transfer, unless such menu or process serves solely to route consumers to the appropriate human representative.

§ 5-311 Deceptive Representations of Customer Service Availability.

(a) It is a deceptive trade practice for a merchant to represent that customer service is available through a communication channel, such as via telephone or email, if the merchant does not provide customer service via that communication channel.

(b) For the purposes of this section, the listing of a merchant’s contact information does not constitute a representation that customer service is available unless it is accompanied by language indicating that customer service as defined in 6 RCNY 5-310 is available via those disclosed communication channels, such as by using the term “customer service,” “contact us,” or similar language, to accompany that contact information.

§ 5-312 Prohibited Practices for Automated Customer Service Systems.

(a) Disclosure regarding automated customer service systems. It is a deceptive trade practice for a merchant to use an automated customer service system to engage in a covered interaction unless such merchant clearly and conspicuously discloses that the consumer is interacting with an automated customer service system and not a human representative. Such disclosure must be made at the beginning of a covered interaction and in the language being used for the interaction.

(b) Failed promise of customer service. It is a deceptive and unconscionable trade practice for a merchant to represent that customer service is available but to then fail to provide customer service in a reasonable and timely manner. A merchant fails to provide customer service in a reasonable and timely manner if such merchant engages in conduct that, during the course of a covered interaction, repeatedly and unreasonably:

- (1) Directs a consumer to menus that fail to adequately address such consumer’s inquiries;
or
- (2) Responds to consumer inquiries with unresponsive, irrelevant, or erroneous information.

(c) Access to human representative. There shall be a rebuttable presumption that a merchant has engaged in a deceptive and unconscionable trade practice under subdivision (b) of this section if such merchant utilizes an automated customer service system to engage in a covered interaction and fails to provide a consumer engaged in such covered interaction with the option to interact with a human representative in at least one of the following ways:

(1) Offering the consumer a single-step transfer mechanism, specifying the particular single-step transfer mechanism necessary to complete such transfer (e.g., “Say or type ‘agent’” or “Press 0”), and the estimated wait time if the consumer is placed in a queue; or

(2) If a human representative is not available at the time of the covered interaction, or if the queue for such human representative is unreasonably long, providing the consumer with instructions for how to access an alternative means to obtain assistance from a human representative. Such alternative must include at least one of the following:

i. Disclosing the hours during which a human representative is available through a single-step transfer mechanism from the automated customer service system;

ii. Providing a telephone number and the hours during which the consumer can use the telephone number to reach a human representative;

iii. Providing a live chat on the merchant’s website or application and the hours during which the consumer can use the live chat to reach a human representative;

iv. Providing the ability for the consumer to leave a message through the automated customer service system and request a written response via e-mail or text message, or a call back from a human representative, and the timeframe within which the merchant will respond;

v. Providing a contact form to which the consumer can send a message in order to obtain a response from a human representative, and the timeframe within which the merchant will respond;

vi. Providing a telephone number to which the consumer can send a text message in order to obtain a response by a human representative, and the timeframe within which the merchant will respond; or

vii. Providing an e-mail address to which the consumer can send a message in order to obtain a response by a human representative, and the timeframe within which the merchant will respond.

§ 5-313 Recordkeeping Requirements.

(a) Merchants using an automated customer service system to engage in covered interactions must create and retain records demonstrating compliance with the requirements of this subchapter for a period of at least three years. Such records include but are not limited to:

(1) Documents related to the merchant’s use of the automated customer service system used to engage in covered interactions, including those that detail the specific models of automated customer service systems such as:

i. Any agreements, contracts, or licenses regarding the merchant’s acquisition of or right to use any particular automated customer service system;

ii. Documents related to the development of and/or installation of the automated customer service system; and

iii. Documents reflecting the time period during which each model of customer service system was utilized by the merchant.

(2) Logs of all covered interactions containing fields sufficient to demonstrate the following information, in a manner or format to be determined by the commissioner:

i. The total duration of each covered interaction;

ii. Whether a single-step transfer mechanism was offered to the consumer during each covered interaction;

iii. Whether the consumer activated the single-step transfer mechanism in each covered interaction; and

iv. Whether the consumer was transferred to a human representative, placed in a queue, or provided with an alternative means to interact with a human representative.

(3) Aggregate data, compiled on at least an annual basis, in a form and manner as prescribed by the commissioner, on:

i. The total number of covered interactions for the prior year;

ii. The number of covered interactions in which consumers' inquiries were resolved without the use of a single-step transfer mechanism;

iii. The number of covered interactions involving a consumer who had engaged in previous covered interactions in the preceding 72 hours;

iv. The number of covered interactions in which consumers activated a single-step transfer mechanism;

v. The number of covered interactions resolved without any consumer-initiated transfers; and

vi. The average duration of covered interactions.

(4) Records of all disclosures provided to consumers at the outset of covered interactions, including the specific language and format used; and

(5) Records demonstrating any alternative means the merchant provided consumers to interact with a human customer service representative.

(b) Records must be maintained in a machine-readable format and produced upon request by the department under the procedures specified by section 1-14 of chapter 1 of this Title.

§ 3. Subchapter B of chapter 6 of Title 6 of the Rules of the City of New York is amended by adding a new section 6-91 to read as follows:

§ 6-91 Automated Customer Service Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, and any other provisions contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Pursuant to Section 20-703(d) of the Administrative Code of the City of New York, the knowing violation of any provision of Subchapter 1 of Chapter 5 of Title 20 of the Administrative Code of the City of New York or of any rule promulgated thereunder is subject to a penalty of \$3,500.

Unless otherwise specified by law, a second, or third and subsequent violation means a violation by the same respondent, or such respondent's successor(s), whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

<u>Citation</u>	<u>Violation Description</u>	<u>First Violation</u>	<u>First Default</u>	<u>Second Violation</u>	<u>Second Default</u>	<u>Third and Subsequent Violation</u>	<u>Third and Subsequent Default</u>
<u>6 RCNY § 5-311(a)</u>	<u>Failure to provide customer service through listed communication channel</u>	<u>\$525</u>	<u>\$525</u>	<u>\$1,050</u>	<u>\$1,050</u>	<u>\$3,500</u>	<u>\$3,500</u>
<u>6 RCNY § 5-312(a)</u>	<u>Failure to disclose or to adequately disclose the use of automated customer service system</u>	<u>\$525</u>	<u>\$525</u>	<u>\$1,050</u>	<u>\$1,050</u>	<u>\$3,500</u>	<u>\$3,500</u>
<u>6 RCNY § 5-312(b)</u>	<u>Failure to provide promised customer service</u>	<u>\$525</u>	<u>\$525</u>	<u>\$1,050</u>	<u>\$1,050</u>	<u>\$3,500</u>	<u>\$3,500</u>
<u>6 RCNY § 5-313</u>	<u>Failure to maintain or produce required records</u>	<u>\$525</u>	<u>\$525</u>	<u>\$1,050</u>	<u>\$1,050</u>	<u>\$3,500</u>	<u>\$3,500</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: Rules Regarding Automated Customer Service Systems

REFERENCE NUMBER: 2026 RG 047

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: October 2, 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: Rules Regarding Automated Customer Service Systems

REFERENCE NUMBER: DCWP-80

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 a cure period is not practicable under the circumstances.

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

October 2, 2026
Date