

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2025**

No. 108

Introduced by Council Members Abreu, Gutiérrez, Menin, Restler, Nurse, Marte, Hanif, Hudson, Feliz, Krishnan, Farías, Avilés, Narcisse, Banks, Salaam, Rivera, Williams, Brewer, Ayala, Cabán, De La Rosa and Joseph.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring third-party food delivery services and third-party grocery delivery services to provide an opportunity to pay a gratuity before or at the same time an online order is placed

Be it enacted by the Council as follows:

Section 1. Paragraphs 3 and 5 of subdivision b of section of 20-1522 of the administrative code of the city of New York, as added by a local law for the year 2025 amending the administrative code of the city of New York, relating to protections for contracted delivery workers, as proposed in introduction number 1133, are amended to read as follows:

3. [Reserved] *A third-party food delivery service or third-party grocery delivery service that allows a customer to place an order by, through or with the assistance of its website, mobile application or other internet service must provide such customer an opportunity to pay a gratuity to the food delivery worker or grocery delivery worker retained by such service who delivers, selects, prepares, or assembles such order. Such third-party food delivery service or third-party grocery delivery service must provide such opportunity to a customer in plain language and in a conspicuous manner before or at the same time such customer places such order. Nothing herein shall be construed to require a customer to pay a gratuity or to prohibit a third-party food delivery*

service or third-party grocery delivery service from providing a customer an additional opportunity to add, remove, or adjust a gratuity after an order is placed.

5. [Reserved] *The department may promulgate rules for the implementation of this section, including specifying the form and manner of the opportunity to pay a gratuity pursuant to this section.*

§ 2. This local law takes effect on the same date that a local law for the year 2025 amending the administrative code of the city of New York, relating to safe delivery device access for contracted delivery workers, as proposed in introduction number 30-B, takes effect.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on July 14, 2025 and returned unsigned by the Mayor on August 12, 2025.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 108 of 2025, Council Int. No. 738-A of 2024) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

SPENCER FISHER, Acting Corporation Counsel.