

**Testimony of Commissioner Vilda Vera Mayuga
New York City Department of Consumer and Worker Protection**

**Before the Committee on
Consumer and Worker Protection**

**Hearing on
Micromobility and Street Vending**

January 31, 2024

Introduction

Good morning, Chair Julie Menin, and members of the Committee on Consumer and Worker Protection. My name is Vilda Vera Mayuga, and I am the Commissioner of the Department of Consumer and Worker Protection (DCWP). Thank you for the opportunity to testify today on legislation related to micromobility and street vending in New York City.

DCWP Micromobility Measures

The Administration is committed to protecting New Yorkers from dangerous fires caused by uncertified equipment, from unsafe and illegal equipment operating on our streets, and from exploitative work practices that impact some of our most essential workers. In supporting Mayor Adams' priorities, DCWP has served New Yorkers who purchase and utilize these devices by ensuring that those products follow safe standards established by accredited testing laboratories, and by facilitating delivery worker education on fire safety.

DCWP is the lead enforcement agency for Local Law 39 of 2023, which went into effect on September 16th, and prohibits businesses from selling powered mobility devices or batteries that are not certified to specific testing standards. Since the start of enforcement, DCWP has conducted about 470 inspections, including nearly 150 joint inspections with the New York City Fire Department, and issued summonses to 89 businesses for violating Local Law 39. Moving forward, our goal is to continue conducting proactive enforcement that builds on multilingual educational efforts that work toward creating a culture of compliance in our city. Additionally, pursuant to Local Law 41 of 2023, DCWP distributed fire safety materials developed by the Fire Department to third-party delivery services and third-party courier services, who are required to provide these materials to their delivery workers.

General Vendors

DCWP issues General Vendor licenses to those who sell goods or services in a public place, such as the street or sidewalk. There are currently ~1900 licensed General Vendors. The number of licenses issued to non-veteran general vendors is capped at 853 licenses and the waiting list for non-veteran applicants is currently closed. License applications for General Vendors are available to veterans or the surviving spouses or domestic partners of a veteran.

Preconsidered T2024-0065

Turning to today's legislation, preconsidered bill T2024-0065 would require all businesses that sell e-bikes, e-scooters and other powered mobility devices to post lithium-ion battery safety informational materials and guides.

DCWP supports the intent of this bill and in educating New Yorkers purchasing or utilizing these devices on fire safety and fire risks. As we have done with Local Law 38 of 2023, we plan to work closely with the Fire Department to identify the appropriate educational materials that could serve New Yorkers, given our lack of technical expertise in fire safety. We also recommend giving the Fire Department concurrent enforcement authority.

Preconsidered T2024-0066

Preconsidered bill T2024-0066, this bill would create recordkeeping and reporting requirements for entities that purchase or accept used batteries that power devices such as e-bikes, and e-scooters, and require those entities to provide those records to DCWP. In turn, DCWP would then be required to make those records available to the Fire Department and the Department of Sanitation, upon request.

DCWP opposes this bill. Upon further discussion with our sister agencies and stakeholders, we have been unable to identify an agency that would have substantial use for these records, or to what ends this recordkeeping is necessary, given existing regulations.

Preconsidered T2024-0067

Preconsidered bill T2024-0067 would create a new licensing requirement for businesses selling electric bicycles and scooters. The bill authorizes DCWP to issue civil penalties for violations under the law and deny, suspend, or revoke a license.

While DCWP agrees that it is important to create stronger regulations for these businesses, we believe it is premature to implement a licensing regime at this point in time. Instead of licensing these businesses, we propose strengthening the city's authority to close down businesses that repeatedly sell illegal and unsafe uncertified equipment through a "sealing authority". We also have recommendations for improving current local law by increasing penalties for first time violations, and giving the FDNY concurrent enforcement authority. We welcome any discussions on how we can ensure the safety of New Yorkers with respect to unsafe and uncertified devices.

Preconsidered T2024-0070

Lastly, preconsidered bill T2024-0070 provides amendments to general vendor and mobile food vendor regulations governing display and bookkeeping requirements. The Administration supports this legislation, which was also recommended by the Street Vendor Advisory Board (SVAB) convened pursuant to Local Law 18 of 2021.

Conclusion

Thank you for the opportunity to testify before your committee on today's legislation. The Administration looks forward to hearing today from stakeholders on the impact of these bills for their constituencies and to collaborating closely with the Council during the legislative process.

**STATEMENT OF DEPUTY INSPECTOR KEVIN CAIN,
OPERATIONS COMMANDER OF THE OFFICE OF CHIEF OF PATROL
NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON
CONSUMER AND WORKER PROTECTION
COUNCIL CHAMBERS**

JANUARY 31, 2024

Good afternoon Chair Menin and members of the Council. I am Deputy Inspector Kevin Cain, the Operations Commander of the Patrol Services Bureau of the New York City Police Department (NYPD). I am joined today by Julianne Farruggia, the Managing Attorney of the Department's Legislative Affairs Unit, as well as our partners from the Department of Transportation. On behalf of Police Commissioner Edward Caban, I would like to thank you for this opportunity to discuss the bill relating to vending on city bridges today.

Pre-Considered Intro. T2024-0071 would permit vending on certain portions of the city's bridges, while prohibiting vending on the bridge approaches. The city's bridges, especially the Brooklyn Bridge, are some of the most popular tourist attractions in the city while also serving as important commuter options for pedestrians and cyclist, alike. As a result, these bridges are some of the most heavily foot-trafficked and cycled areas of the city at peak times. We have all experienced how congested the Brooklyn Bridge can get, and its popularity is a major factor in it being designated as a high-threat counterterrorism target since the 2003 Brooklyn Bridge Plot was uncovered, where an individual was tasked by Osama bin Laden to sever the bridge's suspension cables. The large carts, tables, tents, tarps, gas containers, generators and other equipment that vendors would inevitably bring onto bridges present opportunities for nefarious actors to conceal and deploy weapons and explosives, or to tamper with when left overnight.

Beyond it being a high-profile terrorism target, the level of pedestrian and cycle traffic on the Brooklyn Bridge presents other unique public safety and quality-of-life concerns. The threat of panic creating a pedestrian "crush" situation is an ever-present danger. Further congesting the walkways with large obstacles and creating additional choke points is dangerous and will increase the likelihood that these hazardous situations may occur. These obstacles also create unnecessary additional challenges for law enforcement and first responders responding to an emergency. From 2019 through 2023, there were at least 6,340 911 calls for service on Brooklyn Bridge pedestrian and bike path: 1,301 were for an ambulance response, including 130 for jumpers; 230 for crimes in progress; 9 for a suspected explosive device or threat; 68 for hazardous materials, including suspicious packages; and 89 were for fires. When we respond to an individual who is threatening to jump, our officers must use specialized rope systems to attempt to prevent the tragedy. When vendors lock their equipment to the barriers overnight to prevent theft, it becomes more difficult and more dangerous to use this vital equipment. Vending on the walkways also creates unsanitary conditions which sometimes create hazardous conditions on the roadway below when trash and debris inevitably falls through.

Finally, the bridges in lower Manhattan have been especially favored targets for demonstrations and marches of all types. When the crowd is too large for the walkway to accommodate, groups will take to the roadway. Further congesting the walkways only makes it more likely they will use the roadway, which creates obvious physical hazards while also causing significant negative impacts on vehicle traffic in all of lower Manhattan. For these reasons, the Department respectfully opposes this bill.

Thank you for the opportunity to speak with you today, and I am pleased to answer your questions.

**Testimony of
Ryan Merola, Deputy Commissioner
New York City Department of Sanitation**

**Hearing before the New York City Council
Committee on Consumer and Worker Protection**

**Wednesday, January 31, 2023
1:00 P.M.**

Oversight – Street Vending in NYC

Good morning, Chair Menin and members of the Committee on Consumer and Worker Protection. My name is Ryan Merola, and I am the Deputy Commissioner for External Affairs at the Department of Sanitation. Thank you for the opportunity to offer testimony on DSNY's role within the City's vending landscape.

In March, Mayor Adams announced the transition of the Office of Street Vending Enforcement from the Department of Consumer and Worker Protection to DSNY. Legal street vending is a vital part of New York City's economy, and compliance with vending rules is essential to keeping our City clean.

In our capacity as the City's primary enforcement agency for street vending, we focus on the infractions that affect communities the most, things like obstructing sidewalks, curb cuts, and building and subway entrances, leaving equipment and goods out overnight, and creating dirty conditions. This is a compliance-first approach, rather than a license-check-first approach. When infractions are observed, DSNY starts with warnings, which can take a few forms: we post warnings in neighborhoods 24-hours ahead of enforcement, or we directly engage with vendors to explain the infraction we observed.

Once we have warned, our enforcement actions run the gamut from issuing a violation for an infraction to confiscations of vending setups and product. Vending setups and product from general vendors are stored at our facility in East New York and available for retrieval. Any food that DSNY takes is either donated to local food pantries or placed in DSNY composting bins and brought to an organics processing site. We have 30 local food pantries with whom we partner citywide and who have received more than 100,000 pounds of produce since April 1. The food that we cannot donate is processed as organic material.

DSNY's vending enforcement unit is comprised of 40 uniform Sanitation Police Officers that operate citywide daily. Since OSVE's transfer to DSNY on April 1, DSNY has conducted more than 5,000 inspections and issued 1,056 violations.

I would now like to turn to several pieces of the legislation under consideration.

Intro 1060 would prohibit vending or vending-related activity in bicycle lanes. We agree with this legislation.

Intro 1253 would allow street vendors to vend within two feet from the curb rather than eighteen inches, which is the current siting rule, as well as to vend next to some sidewalk obstructions. DSNY has concerns about the implications of the legislation. The proposed expansion of the City's street vending siting rules must still allow for accessible and passable sidewalks, and the bill's language raises questions on usage of sidewalk space. Siting changes must be a part of a larger conversation on how our public space is maintained and we are happy to engage in such a conversation with the Council.

Intro 1264 would remove all criminal misdemeanor penalties from vending enforcement. DSNY does not engage in criminal summons issuance. We only issue civil violations for vending infractions. As Commissioner Tisch stated earlier this year, DSNY will only engage in civil summonsing when conducting vending enforcement.

Thank you again for the opportunity to testify, and I am happy to answer any questions.



**NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE**
Ashwin Vasan, MD, PhD
Commissioner

Testimony

of

Corinne Schiff
Deputy Commissioner of Environmental Health
New York City Department of Health and Mental Hygiene

before the

New York City Council
Committee on Consumer and Worker Protection

on

Street Vending in NYC

December 13, 2023
Revised January 29, 2024
New York, NY

Good afternoon Chair Menin and members of the Committee on Consumer and Worker Protection. I am Corinne Schiff, Deputy Commissioner for Environmental Health at the New York City Department of Health and Mental Hygiene. On behalf of Commissioner Dr. Ashwin Vasan, thank you for the opportunity to testify today on the Health Department's oversight of mobile food vending and legislation before the Committee.

The Department's mission is to protect and promote the health of all New Yorkers, including by promoting the safety of food sold from food carts and trucks. We do this by issuing permits to operate a food cart or truck, issuing licenses to the people who vend food, providing mandated training for vendors on food protection, and conducting food safety inspections.

I want to start by providing a brief update on the Department's implementation of Local Law 18, which expanded opportunities for street food vending. Local Law 18 established a new mobile food vending license, called a supervisory license, and a new kind of permit, a supervisory license permit. The mobile food vending license authorizes a person to vend and a permit authorizes a food cart or truck to be used for vending. A food cart or truck with a supervisory license permit must be operated by a person with a supervisory license.

The Department is charged with issuing 445 applications for a supervisory license each year for 10 years as of July 2022. Supervisory license applications are issued to people on waiting lists in accordance with the local law's detailed criteria and prioritization. Vendors on the waiting lists can track their progress on the Department's new lookup tool, available on our website. Once a person has a supervisory license, they are entitled to apply for a supervisory license permit for a food cart or truck at any time; there is no deadline to apply.

We are now in year two of the program, and the Department has issued all 890 supervisory license applications that were required to be released by June 30, 2024. Of those, as of January 26, 362 vendors have applied for this license, and the Department has approved all of the applications, issuing 362 supervisory licenses. 151 of the 362 new supervisory license-holders have initiated the supervisory license permit process to obtain authorization for a food cart or truck. The Department has issued 71 of these permits, and the other 80 supervisory license-holders are completing their permitting submissions. The other 211 supervisory license-holders may apply for the supervisory license permit at any time, and we are standing by, waiting for their permit applications.

Since Local Law 18 changed the license and permitting process, the Department has been conducting outreach and education to help vendors understand the new requirements. Before Local Law 18, the cap and waiting lists were for permits, and there was a deadline for a vendor called off the permit waiting list to apply. The Council's new approach under Local Law 18 sets a cap and waiting lists for the new supervisory license, rather than the permit, and there is a deadline for a vendor called off the supervisory license waiting list to apply. Once the vendor has their supervisory license, however, there is no deadline to apply for the supervisory license permit.

Turning to Pre-Introduction T2024-0069, which would eliminate the requirement that a person applying for a mobile food vending license have a New York State certificate of taxing authority, limiting that requirement to mobile food vending permittees and supervisory licensees: this proposal will relieve burden on the industry without compromising food safety, and the Department has no concerns with the bill.

Thank you for the opportunity to testify. I am happy to take your questions.

NYC Department of Transportation Testimony
Before the City Council Committee on Consumer and Worker Protection
January 31, 2024

Good afternoon, Chair Menin and members of the Committee on Consumer and Worker Protection. I am Margaret Forgione, First Deputy Commissioner of the New York City Department of Transportation. With me today is Will Carry, Assistant Commissioner for Policy, and Rick Rodriguez, Assistant Commissioner for Intergovernmental and Community Affairs. We are also joined by Deputy Inspector Kevin Cain and Managing Attorney Juliane Farruggia from the New York City Police Department. Thank you for the opportunity to testify on behalf of Mayor Adams and Commissioner Rodriguez on this package of vending and powered mobility device legislation.

Bridge Vending

First, on the pre-considered bill sponsored by Council Member Brewer related to vending on bridges. The Administration opposes this bill as drafted as it would allow vending back on the pedestrian walkways of bridges. We want to be clear: we made this change for public safety, and allowing vendors back would make our city less safe.

In order to enhance pedestrian safety, ease overcrowding, and promote the safety and security of our bridges, last month, the Department of Transportation promulgated a rule to prohibit vending on pedestrian walkways and bicycle lanes on bridges and bridge approaches. This rule has already been instrumental in the City's efforts to ensure the safety and security of our bridges and this legislation would reverse this important step.

The City moved forward with this rule in response to growing conflicts along the Bridge promenade due to an influx of vendors coupled with a rebound in pedestrian activity following the pandemic. While we will speak specifically about conditions on the Brooklyn Bridge, the City would have similar concerns about vending on the pedestrian walkways of all bridges, which is why the rule prohibited vending on all of the city's bridges.

Turning to the Brooklyn Bridge, more people are walking across this bridge than ever before. About 34,000 pedestrians crossed the Brooklyn Bridge on a typical fall weekend day in 2022, compared to about 17,000 pedestrians in 2021. Given these high pedestrian counts, vending along the walkway created unsafe conditions, including cases where people unsafely climbed over the fencing to walk on the separated bike lane to escape the overcrowded walkway. Vendors displaying and storing wares, carts, tables, tents, tarps, canopies, coolers, and illegal gas-powered generators along the walkway impede pedestrian traffic flow, jeopardizing the ability of people to exit the bridge safely and access for emergency responders. Further, the Brooklyn Bridge is a critical link in and out of Manhattan and at times has extremely high numbers of pedestrians, such as during emergencies and protests, where the safe egress of pedestrians is crucial.

DOT also has concerns about carts, tables, wagons, generators, and similar items on the Brooklyn Bridge as the presence of these items increases the risk for structural damage. We are also concerned about the possibility of materials falling onto the roadway below. While we believe that vending is an important part of the New York City ecosystem, our rule is targeted to apply to locations where we see a clear and present public safety threat. We know that the Council shares

our concern for public safety, and we are happy to work together on nearby locations where we could potentially support vending.

Sidewalk Vending

Next, turning to the pre-considered bill sponsored by Council Member De La Rosa. This bill would allow street vendors to vend on the sidewalk as long as vendors are within two feet from the curb or, if there is an obstruction that prevents such placement, as close to the obstruction as possible. DOT has significant concerns with this bill and the effects it would have on pedestrian access and mobility throughout the city.

The city's sidewalks accommodate a variety of uses and amenities including landscaping, outdoor dining, street furniture such as benches and bus shelters, and street vending. These amenities improve the quality of life for New Yorkers, but it is essential that sidewalks continue to have sufficient space for the safe and comfortable movement of pedestrians.

This bill would decrease the amount of space for pedestrians on the sidewalk and negatively affect the pedestrian experience throughout the city, especially on our most crowded sidewalks. In addition, allowing vending next to an obstruction could lead street furniture to become unavailable for their intended use. People must be able to access benches, bus stops, parking meters, and more. DOT would be happy to work with the Council to allow vendors to vend within 2 feet of the curb as long as a twelve-foot pedestrian clear path is maintained.

Delivery worker bills

Next, turning to the pre-considered bill sponsored by Council Member Brewer. This bill would require DOT to update the commercial cyclist safety course to include information on a wider variety of devices as well as to require that the apps ensure delivery workers take such course and are equipped with safety equipment.

The Administration supports and shares the Council's interest in delivery worker safety. As you know, in his State of the City Address, Mayor Adams shared that our Administration is in discussions with the City Council to create the Department of Sustainable Delivery, which would create a comprehensive approach to safety and accountability in our city's growing delivery industry. The Administration supports Council Member Brewer's legislation and would like to work with the Council on this bill to move us closer to this goal. This would include broadening the scope of Administrative Code 10-157—the Commercial Cyclist law—to cover commercial operators of all types of legal, two-wheeled devices, not just bikes, and requiring that businesses ensure delivery workers operating on their behalf use legal and certified devices and are licensed in accordance with applicable law. We would also support linking compliance to DCWP's third party food delivery service license and requiring data reporting to hold the apps accountable.

Finally, on the pre-considered bill sponsored by Council Member Feliz which would require delivery workers to use certified devices. It is also our understanding that this bill intends for app companies to provide workers with these devices at no expense to the worker. The Administration supports this legislation and would like to work with the Council on a bill that would go further in requiring third-party food delivery services and third-party courier services to establish and pay for a trade-in program for illegal, uncertified, and gas-powered devices. This would help delivery workers transition to legal and safe devices and help address both street and fire safety concerns.

Conclusion

In conclusion, I would like to thank the Council for the opportunity to testify before you today and now welcome your questions.

Testimony: Lithium Ion Battery & Device Safety

1.31.24

NYC COUNCIL COMMITTEE ON CONSUMER & WORKER PROTECTION

Tech:NYC is a nonprofit member-based organization representing over 800 technology companies in New York. Our membership includes hundreds of innovative startups as well as some of the largest tech companies in the world. We are committed to ensuring that the tech sector remains a leading driver of the city's overall economy and that all New Yorkers can benefit from innovation.

Since they were first introduced in NYC, delivery platforms have become increasingly popular with New Yorkers. It is estimated that today there are over 65,000 delivery workers and 23,000 restaurants in New York City. As the delivery workforce has grown and New Yorkers look to e-bikes for commuting and personal use, the demand for e-bikes has also increased. Unfortunately, to meet this demand, e-bikes and batteries of varying quality have been sold – resulting in some devastating circumstances for New Yorkers. Tech:NYC applauds the City Council's quick and thoughtful response in requiring safety certifications for e-bikes and batteries, establishing an e-bike and battery trade-in program, and creating more safety education requirements. Still, the demand for safety-certified batteries outweighs the supply, but we are optimistic that these new laws will encourage manufacturers to increase production and provide more access to safety-certified batteries for New Yorkers.

Today's hearing includes a number of proposals that aim to increase safety standards for e-bikes and batteries. Tech:NYC supports Introductions T2024-0065 and T2024-0067, which will help to increase education and requirements for e-bike retailers and maintenance businesses.

However, there are two proposals that, while well intentioned, are redundant to existing law and lack clarity. Introductions T2024-0068 by CM Brewer and T2024-0072 by CM Feliz both require delivery platforms to provide various types of equipment to delivery workers, including helmets, lamps, bells or horns, brakes, and reflectors, as well as the e-bikes and batteries themselves, should delivery workers be unable to purchase or locate safety-certified e-bikes and batteries. While Tech:NYC agrees with the goal that all delivery workers should have access to safety equipment and certified batteries, these proposals place these costs entirely on delivery platforms and are inconsistent with the realities of delivery workers, many of whom prefer to work with multiple platforms at once. DCWP's 2022 report on delivery worker pay found that 56.3% of workers have more than one account with delivery platforms, proving their preference to switch between platforms based on the time of day, neighborhood, and other factors.

Introductions T2024-0068 and T2024-0072 do not recognize these practices, as they require platforms to provide equipment, batteries, and e-bikes for delivery workers without specifying how



to determine which platform would be held responsible for those requirements. Additionally, the delivery worker minimum pay rates, which went into effect last month includes \$2.26 per hour for expenses, which was calculated by DCWP to include the purchase of a new \$1,800 e-bike, and 1.74 batteries per year, each at a cost of \$550. This expense formula was designed to provide workers with direct compensation, as DCWP recognized the practice of multi-apping. Tech:NYC believes these proposed requirements are redundant and will require platforms to increase costs on customers – costs that are already at record levels and may decrease the demand for delivery.

Given that the recently passed e-bike and battery trade-in law was only implemented in October, we believe it is important to understand the impact of this new law in combination with the funds set aside for delivery workers out of the new minimum wage, before layering it with additional – and potentially confusing – requirements. We encourage the City Council to continue these discussions with not only delivery platforms and workers, but also bike and battery manufacturers, retailers, and newer solutions like the Whizz and Zoomo delivery bike rental services.

Thank you for your consideration, and Tech:NYC looks forward to working with the City Council to continue increasing safety standards for e-bikes, delivery workers, and all New Yorkers.



JUMAANE D. WILLIAMS

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON
CONSUMER AND WORKER PROTECTION
JANUARY 31, 2024**

Good afternoon,

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. I would like to thank Chair Menin and members of the Committee on Consumer and Worker Protection for holding this hearing. I will be taking this opportunity to highlight much needed changes for street vending in the city as well as the ongoing pressing issue of battery safety, especially in relation to micromobility devices.

Street Vending

Today the committee will hear a number of bills on street vending. I am in support of two preconsidered introductions I am cosponsoring that were also introduced last session as Int. 1253-2023 and Int. 1264-2023. Int. 1253-2023, led by Councilmember De La Rosa, would amend the existing siting rule and would allow vending units to be within two feet from where the sidewalk abuts the curb. If there is an obstruction that prevents this, then vending units can be placed as close as possible to the obstruction. All other siting rules will remain the same regarding time, place, and manner where vendors may operate,¹ including:

- The vending unit must be 10 feet from a crosswalk
- The vending unit must be 10 feet from a subway entrance
- The vending unit must be 20 feet from a building entrance

Currently, siting rules require vending units to be 18 inches or less from the curb, which may place vendors in harm's way as they often exit their carts onto the street, and potentially into oncoming traffic. This amendment in the siting rules—albeit a small change—would make a world of a difference in keeping our vendors safe. Many already are vending in unpredictable weather environments, in freezing temperatures and under the blazing sun. The least the city could do is provide vendors with additional wiggle room in placement and operation of their carts. This amendment would be a step in the right direction in protecting some of our most vulnerable small businesses and I urge my colleagues to support this bill in its passage.

Furthermore, Int. 1264-2023, led by Councilmember Krishnan, would repeal misdemeanor criminal penalties for general vendors and mobile food vendors for time, place, and manner violations on streets and sidewalks. Rather, vendors in violation of vending requirements would be subject to a

¹ <https://www.nyc.gov/assets/doh/downloads/pdf/rii/regulations-for-mobile-food-vendors.pdf>



JUMAANE D. WILLIAMS

penalty of a summons and fine of no more than \$1,000. To be clear, these changes would not impact vending rules in the subway system nor would it apply to the sale of counterfeit merchandise. The bill draws heavily from a unanimous recommendation from the Street Vendor Advisory Board, composed of representatives from city agencies, street vendors, retail food stores, property owners, small businesses, and community organizations.² This bill is integral to changing a system currently in place that unfairly punishes vendors and criminalizes them. Majority of vendors come from immigrant backgrounds, are people of color, military veterans, and women,³ and criminal penalties have the ability to upend their source of income for themselves and their families.

Battery Safety

The nonprofit newsroom The City recently reported that cities across America are grappling with lithium-ion battery-caused fires, and are looking to New York City for guidance.⁴ In the absence of proper federal oversight, the New York City Council must continue to regulate the sale and use of lithium-ion batteries and electric micromobility devices. Fundamentally, businesses are responsible for both the safety of their employees and customers. Businesses must inform customers about the best practices to safely care for their devices. Additionally, businesses that rely on micromobility devices must take the necessary steps to mandate their staff use the safest equipment available. We cannot push workers to fall back on gas powered mopeds, but we must also recognize the unique risks of poorly maintained electric micromobility devices. Therefore, it is necessary that there exist strong safety standards for third-party delivery and third-party courier services to follow. Regulators must also strategically target who is selling second-hand lithium-ion batteries because used batteries are more likely to fail and start fires. I commend the committee for continuing this very important conversation and pushing for changes so that we never have another death at the hands of unregulated lithium-ion batteries.

Thank you.

² <https://www.nyc.gov/assets/dca/downloads/pdf/partners/SVAB-Report-2022.pdf>

³ <https://www.streetvendor.org/history>

⁴ <https://www.thecity.nyc/2024/01/29/congress-e-bike-battery-bill/>



Regarding Street Vending; Preconsidered Intros T2024-0074 and -0075

Good afternoon. My name is Kathleen Reilly Irwin, and I am the NYC Government Affairs Manager for the New York State Restaurant Association. We are a trade association representing food and beverage establishments in New York City and State. We are the largest hospitality trade association in the State, and we have advocated on behalf of our members for over 80 years.

We would like to take this opportunity to share feedback from the perspective of brick-and-mortar food service establishments, regarding the issue of street vending. First, we recognize that street vendors, like restaurant operators and staff, are hard-working people trying to make a living. We recognize that street vendors, like restaurant operators and staff, often have immigrant backgrounds, and that working with and selling food is a transferrable skill that many people follow to find their first employment in New York City.

Restaurants are subject to regulation by many city agencies, and besides their compliance obligations, they are subject to extremely high rent payments, property taxes, utilities, and the commercial rent tax for those south of 96th street in Manhattan – all expenses related to their fixed location, their right and responsibility to operate in their neighborhoods, keep their sidewalks clean and clear, and serve their communities. Street vendors also certainly have a part to play in feeding and serving their communities. For there to be order, fairness, and navigability in the streetscape, New York City has siting guidelines that regulate where street vendors can be located: only on sidewalks with a 12-foot clear path, more than 20 feet from a building entrance, and more than 10 feet from a crosswalk or subway entry. However, restaurants regularly observe non-compliance with siting guidelines in their communities. Brick-and-mortar restaurants' top priority is proper enforcement of current street vendor regulations.

We see today that several proposals (Preconsidered Intros T2024-0071 and -0073) seek to further, reasonably, restrict the areas where street vendors may operate. We agree that bike lanes and certain areas on bridges are inappropriate for vending, and we only ask that enforcement of these newly prohibited zones go hand-in-hand with proactive enforcement and education about areas already restricted for vending.

Preconsidered Intro T2024-0074 would remove misdemeanor penalties for street vending violations. We agree that enforcement should not have to rely upon the threat of criminal consequences. However, it does rely on the necessary funds and staffing to enforce, and appropriate consequences to dissuade flagrant and repeat offenders. If enforcement and education are proactive, and achieve strong compliance results using civil penalties, then misdemeanor penalties should not be necessary. If enforcement is largely not effective, and fines are considered the cost of doing business, then it would be a concern to remove the option for misdemeanor penalties as a last resort.

Preconsidered Intro T2024-0075 would give vendors two feet of space between the curb and their carts to vend. If an obstruction exists on the sidewalk, it would allow vending as close as possible to the obstruction. The NYS Restaurant Association would ask that clear path requirements for this circumstance be added, to take into account the additional sidewalk space occupied by a vendor standing two feet farther into the walking lane.

Thank you for taking the time to consider our testimony today. We share the priority of creating a fair set of regulations to cultivate vibrant streetscapes and neighborhoods in New York City, and the New York State Restaurant Association looks forward to being a continued partner on this issue moving forward.

Respectfully Submitted,

Kathleen Reilly Irwin

NYC Government Affairs Manager

New York State Restaurant Association

401 New Karner Road

Albany, New York 12205



**NYC Consumer and Worker Protection Committee
Hearing on Street Vendor Legislation and E-micromobility
Jan 31, 2024**

Good afternoon, and thank you to Chair Menin and the Committee members for holding this hearing on the street vending and delivery worker protection bills being heard today. Transportation Alternatives (TA) advocates for safe, equitable, and vibrant streets across the five boroughs, which includes better practices for the New Yorkers who work in the public realm and for whom streets are workplaces.

Delivery app companies are profiting off causing chaos on our streets – demanding unsafe delivery speeds and unrealistic trip times in order for people to make a living. We need to regulate these companies to protect workers and all New Yorkers who use our streets. Last week, the Mayor proposed a Department for Sustainable Delivery, and it is important that New York City advance solutions that target the systemic causes of these issues: Silicon Valley companies operating a business model that generates profit by putting workers, and all New Yorkers, lives at risk. TA is proud to support legislation that improves access to resources for workers and holds businesses accountable.

Street vendors also provide tens of thousands of jobs and microbusinesses for New York, and support immigrants, people of color, and military veterans. They work every day in New York's public spaces as an essential part of the fabric of neighborhoods and streetscapes across each borough. Current regulations, however, are inadequate in providing proper guidance to vendors, and city leaders must facilitate a healthy regulatory environment for our smallest businesses to thrive.

We are pleased to see the Council take up bills that were introduced and heard during the last City Council session. Below, TA offers its support and feedback on these bills:

[T2024-0065](#) which requires the posting of lithium-ion battery safety guides in places of business and online retail platforms that sell powered mobility devices. TA supports this bill to help consumers make safe battery choices.

[T2024-0068](#) creates a DOT-developed bicycle safety course for delivery workers and requires companies to provide their workers with safety equipment. TA supports the

development of this course, which will provide greater resources on safe streets practices.

[T2024-0067](#) requires electric bike and scooter businesses to obtain a license to operate in the City. TA supports: we need seller safety and accountability for all, and a system to successfully implement this new regulatory framework.

[Int 0822-2022](#), establishes a battery safety certification for mechanics who work on powered mobility devices. TA supports this bill to ensure those working on battery-powered devices have the most up to date information and skills to safely repair these devices.

[T2024-0066](#) record keeping and reporting on the disposal of rechargeable batteries used for powered mobility devices. TA supports this bill: safe disposal and recycling keeps batteries out of landfills and promotes a safe circular economy.

[T2024-0072](#) establishes local safety standards for powered mobility devices used for food delivery services and makes the third-party apps responsible for supplying these devices at no cost to the worker. TA supports measures that promote app accountability for the safety of their food delivery workers. We recommend including measures to ensure delivery workers have adequate access to quality mobility devices and guard against any punitive actions against delivery workers by app companies.

[T2024-0073](#) prohibits vending in bike lanes, ensuring bike lanes are clear and safe for cyclists to use and ensures vendor safety.

As part of the Street Vendor Reform package, we call on the Council to support and pass Intros [T2024-0074](#) and [T2024-0075](#). Intro [T2024-0074](#) reduces the criminal liability on food and merchandise vending, ensures that our city's smallest businesses face civil, rather than criminal summonses. [T2024-0075](#) addresses the safety hazard of placing street vendors extremely close to the curb. We recommend the Council amend the bill language to ensure sidewalks have a sufficiently clear path for pedestrians and other sidewalk users, and to prevent potential issues where placing a pushcart in front of a large sidewalk obstructions would lead to insufficiently narrow space for pedestrians.



FOR THE RECORD

**New York City Council
Committee on Consumer and Worker Protection**

Administrative Code in Relation to Street Vendors

**Wednesday, January 31, 2024
1:00pm**

**Testimony: Brian McGinn, Vice President, Security
34th Street Partnership / Bryant Park Corporation
1065 Avenue of the Americas Suite 2400
New York, NY 10110
917-438-5124**

Good afternoon, ladies and gentlemen of the council. I stand before you today on behalf of the 34th Street Partnership and Bryant Park Corporation, two business improvement districts in Midtown, to express my vehement opposition to Intros 0075, 0074, and 0070. The council must recognize that this bill package fails to prioritize the safety of pedestrians on the sidewalks and streets in our city.

First and foremost, the sidewalk belongs to pedestrians. In the interest of pedestrian safety, it is not viable to consider giving street vendors the clear and defined permission as outlined in Intro 0075 to obstruct the clear path.

By allowing vendors to operate as close as 2 feet from the curb or up against an obstruction, if passed, this bill would pose a significant safety threat to the regular flow of pedestrian traffic. Codifying these permissions would result in a gross misuse of the sidewalk, causing a multitude of safety concerns.

In recent months, both Herald Square and Bryant Park saw vendors blocking sidewalks and crosswalks causing significant crowding and even resulting in pedestrian injuries.

Furthermore, on numerous occasions this winter, Macy's at Herald Square has come to us for assistance with carts in the clear path that were obstructing their entrance at 35th street and Broadway, operating so close to the doors that smoke from the carts went directly into the Macys' store. These types of conditions are unacceptable for quality of life.

While this bill aims to get vendors out of the street by bringing them further into the sidewalk, we at the 34th Street Partnership and Bryant Park Corporation have never seen a vendor standing in the street.

The current legislation, mandating that vendors about the curb, is loosely followed as is. Allowing street vendors to encroach further on sidewalk space will have significant negative safety consequences for pedestrians, our security and sanitation staff, and even motor vehicles and cyclists as pedestrian traffic bleeds into the street.

As to Intro 0074, it is imperative to refrain from amending the administrative code in reference to misdemeanor criminal penalties for vendors. It is only when vendors are given a criminal summons for repeated violations of the law that they are held accountable. Looking at similar legislation passed in Albany, it is evident that when we take away punitive consequences for the unlawful behavior of street vendors, the result is a significant decline in the safety and quality of life for law-abiding citizens. In the interest of the well-being of our citizens, this trade-off should not be made.

The city council's efforts here undermine the safety of New York pedestrians. I strongly urge the city council to prioritize our pedestrians and preserve the integrity of our sidewalks. On behalf of the 34th Street Partnership and Bryant Park Corporation, I advocate opposition to Intro 0075, 0074, and 0070, and ask the council to reconsider these bills. Thank you.



Alliance for Downtown New York, Inc.
120 Broadway, Suite 3340
New York, NY 10271
212 566-6700 Fax 212 566-6707
www.DowntownNY.com

Testimony of Jessica Lappin
President, Alliance for Downtown New York to the NYC Council Committee on
Consumer & Worker Protection - Int. 2024 -0075
January 31, 2024

Good afternoon Chair Menin and members of the committee. I am Jessica Lappin, president of the Alliance for Downtown New York, the business improvement district representing Manhattan south of Chambers Street. Lower Manhattan is New York City's second largest central business district. Today it is home to nearly 90 million square feet of commercial real estate, over 63,000 residents, more than a quarter million jobs and nearly 1000 storefront businesses. In 2022, the area saw 7.4 million tourists an increase of 111% from 2020.

As the city's oldest neighborhood, sidewalk space is at a premium. All of this growth has placed a strain on Lower Manhattan's narrow streets and sidewalks. Managing public space between pedestrians, vehicles, the required security controls and all of the competing uses for our crowded streets is an ongoing challenge. Our storefront businesses express the same concerns to us about operating costs and increasingly complex regulatory burdens, as do their counterparts in other neighborhoods, while also having to address the mobility issues that are unique to this neighborhood.

As you know, street vending has long been a part of if city's landscape. Clean, well-regulated and appropriately located street vending can provide a pathway to business ownership for low income New Yorkers while contributing positively to the fabric of the city. That said, today's poorly thought out and onerous regulatory system has led to limited enforcement, confusion and a chaotic street environment that disadvantages pedestrians and others who compete for use on our crowded streets.

While we recognize the need to changes to the existing vending regulations, we are concerned about T2024-0075, which would permit street vendors to vend within two feet from the curb or as close as possible to an obstruction. Lower Manhattan's sidewalks feature several types of street furniture including but not limited to garbage cans, bike racks, signs, light poles, benches, beautification planters and others. Many of these elements are public amenities that are meant to enhance the streetscape and provide enjoyment to the public. The Alliance maintains over 900 pieces of street elements annually. This number does not include other street furniture or security infrastructure maintained by the city or private entities.

Our district experiences an overwhelming amount of vending violations. Last year, we reported over 2,900 food and general vending violations to 311. Even though a twelve-foot clear path is supposed to be maintained, we have observed non-compliant

vendors set up regardless of the clear path rule. We believe allowing vendors to set up even farther into the sidewalk from the curb will only worsen the pedestrian experience and impede accessibility.

On top of street furniture competing for sidewalk space, Broadway and other streets in the district are impacted by a large amount of scaffolding, which further narrows the amount of clear path available. There are also numerous high profile institutions such as the New York Stock Exchange, Federal Reserve Bank, and World Trade Center campus that utilize security bollards. Some of these bollards can be lowered for access. Vendor tables and food carts obstructing these bollards will render them non-operational and present a safety risk because security will not be able to view any suspicious activity or packages due to line of sight being blocked.

Another issue we've observed relates to bikes. While we welcome the city's expanded bike share network, such as the protected lane along Broadway, we have concerns with the lack of adequate cycling infrastructure and accessible bike parking in the district. This legislation would further limit cyclists access to the racks to safely secure their bikes in addition to making it more difficult to conduct regular maintenance on the street furniture.

It is our understanding, Intro. 075 in its current form will have a major negative impact on downtown's streetscape by greatly expanding where vendors can vend with no regard for clear path, functionality of street furniture or pedestrian safety.

NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Michael Rella, President of the North Bronx Market Association, located at the Arthur Avenue Market, in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

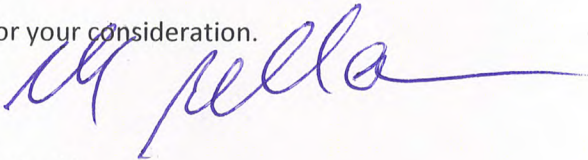
The North Bronx Market Association and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

I am concerned that if vendors are permitted to vend within two feet from the curb or as close as possible to an obstruction, there will be too much clutter on sidewalks. As written, this bill has no regard for walk lanes or functionality of street furniture and infrastructure, and will surely impact the outdoor dining program, pedestrian safety, and ADA regulations, particularly in neighborhoods with narrow sidewalks, like exists here. Vendor set ups, and/or their personal vehicles, already take up essential parking spaces and sidewalk space in Belmont. Our commercial district engages with several million customers a year, over 80% of whom drive from between 10 and 40 miles away, and bring many millions of dollars in economic activity to the neighborhood and for the city. Clear and easy access to the sidewalk and these blocked parking spaces is critical for our residents, visitors, customers, and our ability to conduct business.

I am concerned that permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction, and repealing misdemeanor criminal penalties for general and food vendors may lead to vendors openly flouting various laws to the public's detriment. I do not believe that these bills will benefit or enhance our city, and will only hurt countless small businesses and the community.

Thank you for your consideration.

Sincerely,



Michael Rella



January 31st, 2024

Dear City Council and Council Committee on Consumer and Worker Protection,

I am David Greco, President of Mike's Deli- the Original ARTHUR AVENUE ITALIAN DELI, located in the North Bronx Market on Arthur Avenue in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

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Thank you for your consideration.

Sincerely,

DAVID GRECO

NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Ralph Martucci, owner of Enzo ON THE GO, located at the Arthur Avenue Market, in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

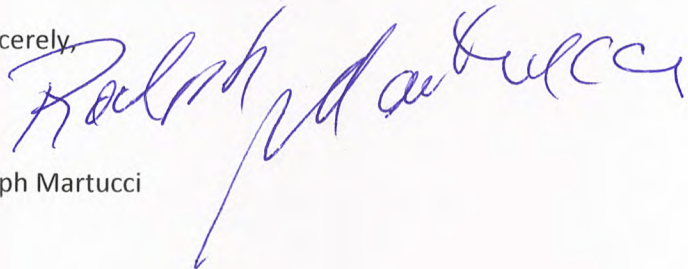
ENZO ON THE GO Foods and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

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Thank you for your consideration.

Sincerely,



Ralph Martucci

NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

I am the owner of Dua Gourmet, located at the Arthur Avenue Market, in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

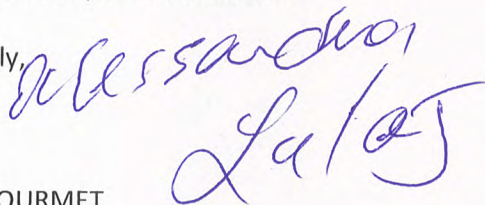
DUA GOURMET Foods and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

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Thank you for your consideration.

Sincerely,



DUA GOURMET

NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Kenny Funic, the President of O'Caffe located at the Arthur Avenue Market, in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

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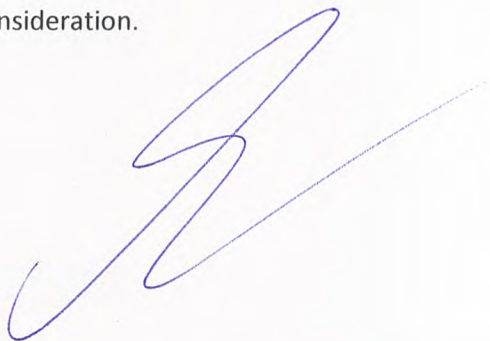
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Thank you for your consideration.

Sincerely,

Kenny Funic

O'Caffe



NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

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Thank you for your consideration.

Sincerely,

Kenny Funici

Funici Pizza



NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Paul Di Silvio, President of the La Casa Grande Cigars , located at the Arthur Avenue Market, in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

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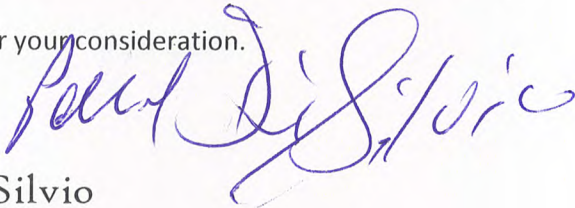
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Thank you for your consideration.

Sincerely,

Paul Di Silvio



NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Peter Servedio, the owner of Peter's Meat Market, located at the Arthur Avenue Market, in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

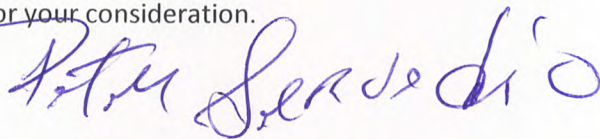
Peter's Meat Market and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

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Peter Servedio
Peter's Meat Market

NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Pat Boiano, owner of Boiano Foods, located at the Arthur Avenue Market, in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

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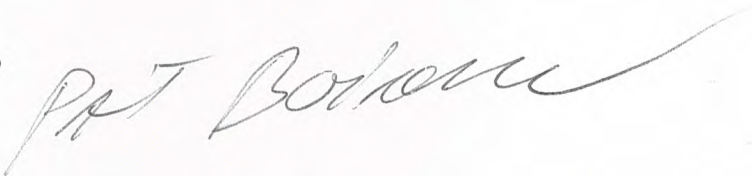
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I am concerned that permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction, and repealing misdemeanor criminal penalties for general and food vendors may lead to vendors openly flouting various laws to the public's detriment. I do not believe that these bills will benefit or enhance our city, and will only hurt countless small businesses and the community.

Thank you for your consideration.

Sincerely,

Pat Boiano

A handwritten signature in dark ink, appearing to read "Pat Boiano", written in a cursive style.

NORTH BRONX MARKET ASSOCIATION
Arthur Avenue Retail Market
2344 ARTHUR AVENUE ♦ BRONX, NY 10458

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Joseph Boiano, owner of Boiano Foods, located at the Arthur Avenue Market, in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

Boiano Foods and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

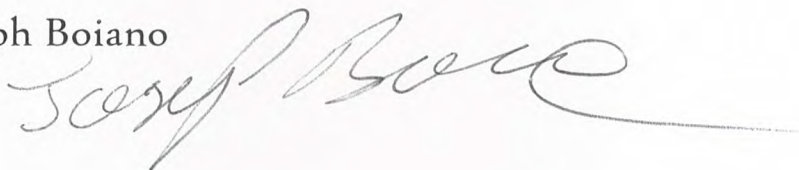
I am concerned that if vendors are permitted to vend within two feet from the curb or as close as possible to an obstruction, there will be too much clutter on sidewalks. As written, this bill has no regard for walk lanes or functionality of street furniture and infrastructure, and will surely impact the outdoor dining program, pedestrian safety, and ADA regulations, particularly in neighborhoods with narrow sidewalks, like exists here. Vendor set ups, and/or their personal vehicles, already take up essential parking spaces and sidewalk space in Belmont. Our commercial district engages with several million customers a year, over 80% of whom drive from between 10 and 40 miles away, and bring many millions of dollars in economic activity to the neighborhood and for the city. Clear and easy access to the sidewalk and these blocked parking spaces is critical for our residents, visitors, customers, and our ability to conduct business.

I am concerned that permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction, and repealing misdemeanor criminal penalties for general and food vendors may lead to vendors openly flouting various laws to the public's detriment. I do not believe that these bills will benefit or enhance our city, and will only hurt countless small businesses and the community.

Thank you for your consideration.

Sincerely,

Joseph Boiano

A handwritten signature in black ink, appearing to read "Joseph Boiano", with a long, sweeping underline.



January 30, 2024

Bill Package: T2024-0075, T2024-0074, T2024-0071, T2024-0073, T2024-0070, T2024-0069

Dear City Council and Council Committee on Consumer and Worker Protection,

The Belmont Business Improvement District's (BID) mission is to promote and expand the economic wellbeing of the Real Little Italy of The Bronx, a business and cultural hub that has uniquely defined this community for over a century. We pursue an unwavering commitment to maintaining strong connections and local networks of support in Little Italy. Our nonprofit organization is designed to support the flourishing of the commercial district in Belmont, and is therefore strongly opposed to some of the street vending legislation that the Council Committee on Consumer and Worker Protection is reviewing. T2024-0075 and T2024-0074 specifically are very problematic for numerous reasons as the bills would allow for street vendors to vend within two feet from the curb or as close as possible to an obstruction, and would repeal misdemeanor criminal penalties for general and food vendors.

Small businesses make up the fabric of their unique communities, hire a local workforce, and contribute significant taxes and revenue to the city. It's becoming increasingly challenging to own and operate a business in New York City, yet these bills will help vendors who are not subject to the heavy regulations and inspections like brick-and-mortar businesses. This will undoubtedly create even more of an uneven playing field. As T2024-0075 is written, it would have a dramatic impact on the streetscape and pedestrian experience since it greatly expands where vendors can vend with no regard for walk lanes or functionality of street furniture or infrastructure. Following the pandemic, the last thing our city sidewalks need are more clutter; a pedestrian walk lane potentially being reduced to less than 8 feet is simply unacceptable. Further, this legislation will surely impact pedestrian safety and ADA regulations, particularly in neighborhoods with narrow sidewalks, like our Belmont district. Surrounding T2024-0074, which would repeal misdemeanor criminal penalties for vendors, there is great concern that current civil penalties are not adequate deterrence to vendors who flout various rules/laws. There is already a proliferation of vendors who do not obey the laws, and we are concerned for the well-being and safety of the community if vendors would no longer be subjected to the risk of harsher penalties. The public will be exposed to a real danger if vendors are not following critical placement or health laws.

From our on the ground observations, we have already seen vendors clog sidewalks and streets, and create unsanitary conditions. Vendor set ups, and/or their personal vehicles, take up essential parking spaces in Belmont (Exhibits 1 & 2, pictured below). Our commercial district engages with several million customers a year, over 80% of whom drive from between 10 and 40 miles away, and bring many millions of dollars in economic activity to the neighborhood and for the city. Access to these blocked parking spaces is critical for our customers, and our ability to conduct business. Specifically, on Fordham Road,

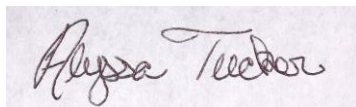
we've seen vendors block the bus lane with their personal vehicles so they have access to additional merchandise for re-stocking purposes.

As the NYC BID Association recently shared, "we do not want a future where countless storefront businesses are closed while tens of thousands of street vendors operate with little enforcement of important rules across the city." The regulatory agencies that oversee business practices should do the same for street vendors; around public health, public safety, consumer protection, and siting.

There is fear that these bills, even with the best of intentions, can lead to vendors openly flouting various laws to the public's detriment. The city has not taken a holistic approach to vendor placement. Has the city considered job training resources for vendors? Perhaps this would enable vendors to instead work in brick-and-mortar businesses which would benefit small businesses who are seeking employees, while also decreasing the unemployment rate.

The Belmont BID, and BIDs across the city and nation, work to ensure the success of their storefront businesses and enhancement of their district. We are concerned about the streetscape of the city, lack of clear rules, the ability to conduct proper enforcement, and that there are not equal regulations and inspections for vendors as is in place for brick-and-mortar businesses. We do not believe that the aforementioned bills being reviewed will preserve or enhance our community, and will only hurt our small businesses further, diminishing what we as a community have worked to build for over a century.

Sincerely,

A handwritten signature in cursive script that reads "Alyssa Tucker". The ink is dark and the signature is written on a light-colored, slightly textured background.

Alyssa Tucker

Executive Director

Belmont Business Improvement District

718-294-8259



Exhibits 1 & 2: Vendors have often been observed utilizing parking spaces as if the parking space is theirs as a right of where they operate their “business.” Vendors vehicles parked on East 187th St, and Arthur Avenue in the Bronx.

January 31, 2024

Testimony of Brooklyn Chamber of Commerce
NYC Council – Committee on Consumer And Worker Protection

Good afternoon. I am Mark Caserta, Vice President of Small Business Support at the Brooklyn Chamber of Commerce. This testimony is focused on the vending legislation set before the committee today: T2024-0069 , 0070, 0071, 0073 and 0074.

Randy Peers, President and CEO of the Brooklyn Chamber of Commerce, served on Mayor Adams' Street Vendor Advisory Board, through which many of these issues were considered. The Brooklyn Chamber of Commerce is in agreement with the positions taken by the NYC BID Association, whose members are on the ground every day, managing public spaces and assisting the small business community.

The Brooklyn Chamber supports T0071 & T0073. Removing vendors from bridges like the Brooklyn Bridge provides a clearer and safer path for pedestrians, many of whom are tourists. Bike lanes are meant to provide a safe space to move around the city by bike. Vendors in bike lanes present a danger to cyclists, vendors and to the vendors' customers.

The Brooklyn Chamber supports T0069 & T0070. These bills make reasonable changes to the law and provide vendors with more flexibility.

The Brooklyn Chamber has concerns about T0075. This bill aims to make vending safer by allowing vendors to move further away from the curb line. However, it would allow vendors to operate in front of "obstructions" such as bike racks and bollards. Given the width of some food carts, this could leave just 5-feet of sidewalk pedestrian space. Restaurants in the city's temporary Open Restaurants program were required to provide 8-feet of clearance because the City was concerned about pedestrian safety. This should be a consideration when reviewing this proposal.

We look forward to working with the Committee on Consumer and Worker Protection, the administration, and our colleagues, as these new rules are being considered.

Respectfully submitted.



January 30, 2024

RE: T2024-0075– Street Vendors and Sidewalk Obstructions

Dear NYC Council Member,

CHEKPEDS is a non-profit organization that has been advocating for pedestrian safety and additional sidewalk space for New Yorkers for the past 15 years. We support the hardworking vendor population and applaud your efforts to update the administrative code to reflect new realities on the ground. However, we are concerned that - as written - Int. No. 1253, will have negative impacts on the safety and mobility of pedestrians in the most congested parts of Manhattan, where vendors set up their pushcarts.

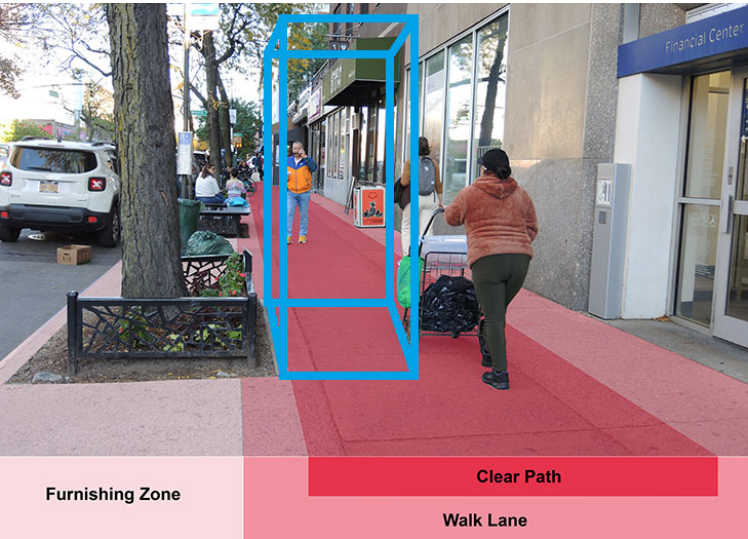
Our illustration describes how, in too many cases, the proposed regulation will cause vendors carts to encroach on pedestrian clear path by 12.5% to 62.5% on the most congested sidewalks. The proposed regulation would work only in one scenario, if the vendor carts were 3ft deep, which very few are. Pedestrians will be forced to walk in traffic.

We recommend the following language be added to subdivision of sections 17-315 and 20-465 of the administrative code of the City of New York: In all cases pushcarts must be located in the furnishing zone and leave a minimum of 10 ft of pedestrian clear path measured perpendicularly from the property (or café/obstruction) line to the side of the cart facing the property.

By adding a minimum “pedestrian clear path requirement” from the boundary of the vendor cart, the language would automatically take into account the various sizes of obstructions and carts. This minimum would make the measurement methodology consistent with the one used for sidewalk furniture: sidewalk cafes, newsstands, news boxes, Link NYC. And the new regulation would accommodate vendors and pedestrians fairly. It would also be simple to communicate to the vendors and NYPD.

If we want to encourage workers to come back to work and to safely shop in midtown, they need enough space to walk. We urge you to modify the language of this bill.

C. Berthet, co-founder, M. Treat, co-founder,



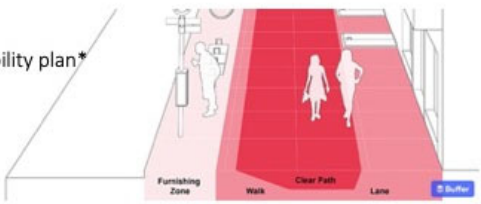
As proposed,
vendor cart is in
the clear path

Sidewalk width	Obstruction depth	Pushcart depth	Pushcart customers	Clear path remaining for pedestrians	Clear path required for pedestrians	% deficit
15ft	3ft (bollards)	5ft	2ft	5ft	8ft	37.5%
15ft	3ft (bollards)	5ft		7ft	8ft	12.5%
15ft	3ft (bollards)	3ft	2ft	7ft	8ft	12.5%
15ft	3ft (bollards)	3ft		7ft	9ft	0%
15ft	5ft (trees)	5ft	2ft	3ft	8ft	62.5%
15ft	5ft (trees)	5ft		5ft	8ft	37.5%
15ft	5ft (trees)	3ft	2ft	5ft	8ft	37.5%
15ft	5ft (trees)	3ft		7ft	8ft	12.5%

- Food pushcarts depth are not restricted. They can exceed – and often do – 5ft
- Customers – sometimes a whole queue of them – occupy significant space. Newsstands regulations take this in account for clear path measurements



DOT Pedestrian mobility plan*



- Most vending is currently prohibited on Regional and Global connectors NYC administrative code **§ 24-215**
- Most vending takes place on Neighborhood connectors, close to very busy intersections
- An 8 ft minimum clear path free of all obstructions is required for pedestrians

Corridor Category	Sidewalk Width	Furnishing Zone	Walk Lane	Clear Path
Baseline Street	8' +	3'	5'	4'
Community Connector	10' +	2'	8'	5'
Neighborhood Corridor	15' +	3'	12'	8'
Regional Corridor	20' +	5'	15'	12'
Global Corridor	25' +	5'	20'	15'

*<https://www.nyc.gov/html/dot/html/pedestrians/pedestrian-mobility.shtml>

To the New York City Council,

Thank you for offering us a chance to share our perspective on the safe use of e-bikes by delivery workers in the city. The bills that the Council is considering, while well-intentioned, could have serious consequences for our business at a time of already great uncertainty for our entire industry.

Since we opened the doors to Citroën, a French bistro and cocktail bar in Greenpoint, five years ago, we have worked hard to make it a place that is a welcoming place for our community. As lifelong New Yorkers, we take great pride in knowing our friends, neighbors, and fellow small business owners.

While we cherish the regular customers who come to eat and drink at our restaurant, delivery is what has really kept our restaurant going in recent years. We partner with platforms like DoorDash and Grubhub to help reach new customers beyond just our Greenpoint neighborhood and grow our business. Without these options, I don't think our restaurant would exist today.

That's why I am opposed to these T2024-0072 and T2024-0068, which could upend the way these delivery platforms operate in New York City. The vast majority of the deliveries that go out our doors are done by workers on e-bikes. We welcome them into our restaurant, and certainly want to make sure they are kept safe.

However, businesses that do food delivery are now helping workers pay for safer e-bikes through the minimum pay rules that went into effect late last year. We're already facing new challenges from these rules. Customers are already unhappy because they now have higher fees, and we're starting to feel it in reduced delivery orders. If these bills pass, and impose even more costs for things that are already being paid for, it could further drive down orders and put us in an even more challenging situation. We're still just figuring how to deal with these increased costs, so now is not the time to be adding new rules on top of those that would set us further back.

Meanwhile, if these platforms have to limit e-bike delivery services because of new rules, it would make it even harder for us to continue providing the same level of service to our own customers. It's simply not sustainable.

This approach does not consider restaurants like mine and the effect it would have on small businesses across the city. We're respectfully asking the Committee to reconsider these bills and instead think about ways that restaurants like ours can continue to grow our business using these services in New York City, rather than take away these options.

Sincerely,

Dawn Eldridge

Owner/ Operator, Citroën



**Testimony of Cassandra Perez Desir, Representing DoorDash
New York City Council Committee on Consumer and Worker Protection
Oversight Hearing - Lithium-Ion Battery, Powered Bicycle and
Powered Mobility Device Safety
January 31, 2024**

Chair Menin and Members of the Committee,

Thank you for the opportunity to testify today. DoorDash remains deeply concerned about the fires that are occurring in New York City, and we share the City's concern regarding the frequency of fires being caused by lithium-ion batteries. However, we are also troubled that the same, problematic policy proposals heard last October are again before the committee. The Council needs a fresh approach to tackling this problem that avoids imposing further costs on restaurants and their customers.

We again note the significant steps the Council has taken to help combat this problem. Setting safety standards, creating a trade-in program, and focusing on education are crucial steps. We also applaud the Council for pushing reform at the federal level. We've continued our parallel efforts to improve Dasher access to certified e-bikes, invest in education, and ask federal authorities to set national safety standards.

However, the two bills before you today (T2024-0072 and T2024-0068) have only become more problematic since they were last heard by this committee in October. As written, these bills would prohibit workers from using uncertified e-bikes to make deliveries, and either require or encourage platforms to provide workers with certified e-bikes and safety gear. Since the October hearing, the city's minimum pay standard has taken effect, substantially increasing wages for food delivery workers in NYC. This pay was specifically calculated by DCWP to include \$2.26 per hour in compensation for worker equipment, the majority of which is related to the worker's e-bike, battery, and maintenance. **This means workers are already being paid for the very same items covered by these bills.** The amount of this additional pay is significant. In fact if a food delivery worker delivered for the average number of hours assumed in DCWP's own study, **they could afford a new e-bike every year.** Simply put, food delivery is the only industry contributing financially to help solve this problem by directly paying workers tens of millions of dollars per year for their e-bikes.

The pay standard is having significant consequences for food delivery platforms, restaurants, and customers. We've already had to adjust merchant services and customers will soon face new fees. This is the reality of meeting the minimum pay standard that is in effect. Purchasing all of this equipment a second time, and imposing even more pain on restaurants and consumers, is simply not an option.



We also remain deeply concerned that these bills continue to target one specific industry, and no one else. Uncertified batteries are in no way unique to food delivery workers, and the Council should not discriminate against these workers while allowing other people – including workers in other industries – to use dangerous uncertified devices without consequence.

Under these bills, not would the food delivery industry be double charged for ebikes, but the bills can't even be implemented. Any New Yorker can sign up to dash, and they don't report to a designated location to start. Some people sign up, try a delivery or two, and then decide dashing isn't for them. Plus, most workers do not work with a single platform. These are significant practical challenges. These bills provide no clear way to reasonably determine which workers should be eligible for equipment or which platform should provide it. Compensation required under the minimum pay standard avoids this complexity entirely.

Most alarmingly, these policies run the real risk of cutting off workers from the only existing financial mechanism that can help them replace their existing uncertified e-bike. By double charging the food delivery industry and creating unworkable mechanisms to provide workers with safe e-bikes, these bills incentivize the food delivery industry to prohibit e-bike usage altogether. That means workers that the approximately 56,000 workers that DCWP estimate currently have e-bikes would have to find some other vehicle to use to make deliveries, or lose access to this work. Without access to this work, delivery workers not only lose access to important earnings opportunities, but to the higher minimum pay standard that can actually help them get safer e-bike. **These policies underlying these bills aren't just ineffective and impractical, they're self-defeating.**

We remain committed to helping the Council solve this problem, but we need meaningful, workable solutions. These bills need to be re-written to build on the City's existing policies to fix this problem, including: 1) Develop easy to use recycling and disposal options to actually get dangerous products off our streets; 2) Include solutions the City is already exploring, like battery swapping systems; 3) Leverage the pay workers are already receiving to support them get a safer vehicle; 4) Broaden the tent so that other industries are contributing to solutions for all New Yorkers through mechanisms like the City's existing trade-in program.

Thank you.

Tough Q&A

You're relying heavily on the minimum pay standard to say that you're doing your part. But you sued the City to block the pay standard. How can you now argue that you're doing the right thing because of the pay standard?

Our opposition to the pay standard has never been related to the battery fire crisis. We continue to believe the pay standard suffers from several problems, including the fact that the City has



arbitrarily chosen which types of third-party platforms must pay workers this higher wage, while leaving other platforms free to pay worker less. This is not right, and the City should be closing loopholes in the pay standard by requiring parity across platforms. This will actually support the City's efforts to improve the fire situation. For example, while we're currently paying workers the higher minimum pay wage they can use to upgrade their e-bike third-party courier services are not. If the City wants to bring more money into the fold to help workers get new e-bike, it should close these loopholes.

You say you care about the battery safety problem - why haven't you done more?

We've taken multiple steps to improve battery safety in New York City.

It has been difficult to invest more in battery safety initiatives knowing that we may soon have to dramatically increase worker pay and directly compensate them for their e-bikes and safety equipment. The solution for e-bike batteries can't happen in a vacuum in light of these overlapping policy issues. Platforms and the City must come together to align on how we can contribute to this issue, but not have duplicative and unsustainable requirements.

We, like the City, have also struggled to identify the best way to actually help this transition occur. We think the City's participation in a trade-in scheme is essential to success. Due to issues like multi-apping and highly variable work hours, we can't do this on a platform by platform level. We need some of these programs to be centralized by the City.

Mopeds are a closely related problem that we need delivery platforms to help with as well. What is DoorDash doing to stop workers from using illegal mopeds?

The best thing we can do to address the moped problem is to solve the e-bike problem so we don't replace one safety issue with another. If we don't adopt the right kind of policies, it is possible that many New Yorkers will be pushed towards mopeds as they simply give up on e-bikes. We need to make sure that doesn't happen.

We are bolstering our communication efforts specifically around mopeds to inform Dashers that they must be registered, and if they can't be registered they are illegal.

Why isn't DoorDash already asking workers for proof of UL compliance if they use e-bikes, and not allowing people to Dash if they don't have it?

Right now, this would be a pointless exercise. It would require us to remove almost every e-bike based worker that uses our platform because almost no workers have UL certified devices. While we believe the City did the right thing by setting safety standards, switching from no standard to UL 2849 was a fairly quick change to a standard that relatively few bikes are certified to. Even major, reputable manufacturers are still catching up. Asking platforms to do this is essentially asking us to cut off tens of thousands of people from work.



You're relying heavily on the minimum pay standard to say that you're doing your part. But you sued the City to block the pay standard. How can you now argue that you're doing the right thing because of the pay standard?

Our opposition to the pay standard has never been related to the battery fire crisis. We continue to believe the pay standard suffers from several problems, including the fact that the City has arbitrarily chosen which types of third-party platforms must pay workers this higher wage, while leaving other platforms free to pay worker less. This is not right, and the City should be closing loopholes in the pay standard by requiring parity across platforms. This will actually support the City's efforts to improve the fire situation. For example, while we're currently paying workers the higher minimum pay wage they can use to upgrade their e-bike third-party courier services are not. If the City wants to bring more money into the fold to help workers get new e-bike, it should close these loopholes.

Why do you oppose ensuring that workers have safety gear? Every other company that uses bike riders needs to do this. Why should you be exempt when your platforms probably create more commercial bike traffic than anyone else?

We certainly don't oppose workers having and using safety gear. The problem is that the City is trying to get us to pay for it twice (or maybe 3-4 times across multiple platforms). It's simply not possible for us to pay workers directly for their gear and then provide it again outside of their pay. Further, if workers aren't going to buy it themselves, we need to work with the City to find another way to distribute it so people are not collecting items from multiple platforms, and to prevent people from signing up just to get free gear.

Do you support licensing and registration for e-bikes so that we can better police dangerous behavior?

We'd appreciate the opportunity to talk more with the Council about whether licensing or registration will help or hurt this situation. While we can see how this could improve certain aspects of enforcement, it may also have drawbacks to bike and e-bike usage.

Why can't DoorDash just switch deliveries to regular bikes?

First Intro 1163, which requires us to provide safety gear, is not limited to e-bikes. Switching deliveries from e-bikes to regular bikes would not change any obligations under that bill, which poses the same challenges we have identified above with respect to overlapping obligations to pay for gear and difficulty in implementation.

Second, we think it is unlikely that workers would be interested in delivering all orders that are currently fulfilled by e-bikes with regular bikes. Regular bikes are less efficient and more labor intensive. Given these realities, we suspect there would be significant limits on the extent to which e-bike deliveries could be replaced by regular bike deliveries. We believe it's far more likely that workers would seek alternative motorized devices to help them work instead. We fear



there will be a strong incentive for workers to seek out gas-powered mopeds, devices replete with misinformation about when they are illegal. This will simply exacerbate a growing safety issue in the City.

Doesn't DoorDash have a responsibility to do more on addressing these deadly fires since most are caused by the devices used by delivery workers?

While we share the serious concerns about these fires in New York City, there's little evidence that we've seen to suggest that the majority of fires are caused by e-bikes used by Dashers or delivery workers like them. In fact, from our own cursory examination of high-profile fires, few mention any connection to delivery workers being involved at all.

Committee Q's for DCWP:

- It's my understanding that the minimum pay standard approved by DCWP considered the expenses that workers have for their equipment, including e-bikes, batteries, and accessories like helmets. Is it correct that platforms paying workers for that type of equipment has already been calculated into the pay standard?
- Part time workers- don't want the bikes to make deliveries if they are only using apps 5 hours a day and it's not economical
- Unfortunately, there is currently no substantial data to directly connect the ebike fires to delivery workers, and certainly none from our platform

ENZO'S

of Arthur Avenue

February 1st, 2024

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Maria Di Rende, the owner of Enzo's of Arthur Avenue located on 2339 Arthur Avenue in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

Enzo's of Arthur Avenue and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

I am concerned that if vendors are permitted to vend within two feet from the curb or as close as possible to an obstruction, there will be too much clutter on sidewalks. As written, this bill has no regard for walk lanes or functionality of street furniture and infrastructure, and will surely impact the outdoor dining program, pedestrian safety, and ADA regulations, particularly in neighborhoods with narrow sidewalks, like those that exist here. Vendor set ups, and/or their personal vehicles, already take up essential parking spaces and sidewalk space in Belmont. Our commercial district engages with several million customers a year, over 80% of whom drive from between 10 and 40 miles away, and bring many millions of dollars in economic activity to the neighborhood and for the city. Clear and easy access to the sidewalk and these blocked parking spaces is critical for our residents, visitors, customers, and our ability to conduct business.

I am concerned that permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction, and repealing misdemeanor criminal penalties for general and food vendors may lead to vendors openly flouting various laws to the public's detriment. I do not believe that these bills will benefit or enhance our city, and will only hurt countless small businesses and the community.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Maria Di Rende". The signature is fluid and cursive, with the first name "Maria" being larger and more prominent than the last name "Di Rende".

Maria Di Rende

Owner
Enzo's of Arthur Avenue



The Five-Borough Chamber Alliance includes the Bronx, Brooklyn, Manhattan, Staten Island, and Queens Chambers of Commerce, and represents most of the 200,000 small businesses throughout New York City. 85% of our membership consists of companies with ten or fewer employees; however, collectively these companies account for the majority of New York City's employment.

Please accept this testimony in connection with the Committee's hearing on T2024-0072 (Feliz) and T2024-0068 (Brewer), legislation that would address e-bike and battery safety. Battery fires remain a critical problem in New York City, and we commend this Committee and the Council for the actions it has taken so far. Setting safety standards, creating a trade-in program, and investing in education are key steps that will underpin a long-term solution.

However, we're very concerned that the same problematic proposals from last year have been re-introduced. Since the prior hearing in October 2023, only one thing has changed - the City's minimum pay standard for delivery workers has taken effect, which includes pay that directly compensates workers for the costs of e-bikes, batteries, and safety equipment. As a result of the minimum pay standard, our members and their customers are facing higher costs, and food delivery is becoming increasingly challenging and harder for them to afford. These new bills would require workers to be paid for these things twice. We're alarmed to see this Committee considering proposals that can only drive up costs further, and duplicate worker pay that is already being provided from businesses in food delivery.

We remain deeply troubled by the following aspects of these bills:

1. Both bills directly conflict with the City's minimum pay standard for food delivery workers. The pay standard has already been calculated to include \$2.26 extra per hour to fully reimburse workers for their expenses, including the cost of e-bikes, batteries, and safety gear. These costs aren't just being paid by food delivery platforms, they're being borne by everyone in food delivery, including restaurants and customers. The Council should not impose duplicative and overlapping requirements to provide this equipment.
2. T2024-0072 fails to address the many important barriers that are hampering the Council's efforts to upgrade the supply of e-bikes and batteries in NYC. There is no mechanism for recycling, it doesn't take into account other solutions the City is exploring (such as certified batteries), and it undermines the trade-in program

legislation the Council just passed last year. It's also completely impractical given how food delivery workers actually work, with many being part-time workers and most using multiple apps to work. This is simply not an effective approach that is out of step with other initiatives the City is leading.

3. These policies could effectively shut down or dramatically reduce e-bike delivery through third-party platforms. If the use of e-bikes carries the tremendous cost of having to pay for bikes and safety gear twice, it's hard to imagine how they could continue to be used for delivery. This would be a massive problem given that the City itself estimates that 66% of deliveries occur by e-bike. It's unlikely that these deliveries could fully be replaced with cars, and encouraging workers to shift their delivery mode to motor vehicles (or even worse, illegal mopeds) would be a step backwards for issues like congestion, climate, and safety. The City's streets are a shared resource, and businesses across the City – across all industries – depend on them to move the people and goods that keep this City running. Imposing new, heavy handed regulation on e-bikes will inevitably trade those e-bikes for cars and trucks, flooding the streets with more vehicles and threatening the flow of commerce. This will be hugely disruptive not just to restaurants and other businesses that use delivery, but all of the City's economy, and it will undermine other City objectives.

The City needs to create a plan that takes into account all of its existing laws and policies, and addresses missing links in today's system (like recycling). We can't pass more policies that hurt retailers and their customers, especially when mechanisms have already been put in place to ensure that the food delivery sector contributes financially to this problem. The City should be looking at new funding sources to support its programming - not placing even more burdens on restaurants.

We reiterate our firm support for efforts to stop battery fires, but these bills are not the right path. We encourage the Committee to re-think its approach in order to amplify the safety measures that are already in place and make sure they're successful.

Sincerely,

Lisa Sorin
President & Chief Executive Officer
Bronx Chamber

Randy Peers
President & Chief Executive Officer
Brooklyn Chamber

Jessica Walker
President & Chief Executive Officer

Manhattan Chamber

Linda Baran

President & Chief Executive Officer

Staten Island Chamber

Thomas Grech

President & Chief Executive Officer

Queens Chamber

FORDHAM ROAD BID TESTIMONY
NYC COUNCIL COMMITTEE ON CONSUMER AND WORKER PROTECTION
PREPARED: WEDNESDAY, JANUARY 31, 2024

Dear Chairwoman Menin and distinguished members of the New York City Council Committee on Consumer and Worker Protection,

The Fordham Road Business Improvement District (Fordham Road BID) is the Bronx's busiest business corridor home to more than 300 businesses. On behalf of the business community here, we wish to thank you for the opportunity to testify before you today. Our BID has had the privilege of representing these businesses, both large and small, for nearly 20 years.

We wanted to start off by stating how when these bills were first introduced in mid-December before this committee in the last Council, they were introduced at a time where for many businesses, the holidays either make or break their year. Chairwoman Menin, as a former small business owner, we know you understand that better than anyone, and the timing made it difficult for us to secure business testimonies.

Nevertheless, after speaking to many of our businesses who have been on Fordham Road for generations, we are here today to convey our strong opposition to two of the bills before this committee, T2024-0075 and T2024-0074. We want to take a moment to remind this Council that Fordham Road is a zero-visibility zone where no general merchandise vending is permitted Monday through Saturday per the City Administrative Code.

T2024-0075 would allow vendors to vend two feet from the curb or right up against any obstruction essentially. The bill as written would cause chaos in the public realm on our already crowded sidewalks by allowing vendors to essentially set up their structures against a bus shelter, a fire hydrant, a bench, a planter, a sanitation container, bike racks, and other public installations that would negatively impact public safety. Along Fordham Road, there are already numerous pinch points largely from the hundreds of food and street vendors, most of which are unlicensed,

that already impede the entrances to some of our businesses. This bill, which also does not reference zero-visibility zones, will create numerous public safety challenges not just for pedestrians but for the millions of people that visit and shop at our stores which provide significant economic impact for the City.

Next on T2024-0074 which would repeal misdemeanor criminal penalties for general and food vendors, we believe this bill would deter further enforcement of street vending especially since most of my district is a zero-visibility zone, and since when the Council passed Intro 1116 back in January 2021, they did so without any mechanism for sustainable enforcement and our businesses have suffered since.

Lastly, on T2024-0069 which would eliminate the requirement that individual employees of food vendors obtain a certificate of authority to collect sales taxes. While we don't have any major objections to this legislation, it does raise the question of why a vendor would need a permit to begin with if their employees wouldn't need such a certificate. Just something to think about.

In conclusion, we are committed to working with this City Council and the vending community to make our neighborhoods better. Through numerous community activations, Fordham Road BID has had many positive interactions with the vending community, and we will continue to do so.

However, we believe these bills will significantly hurt more than help small businesses who are already dealing with numerous public safety challenges. We have already seen a few retailers leave Fordham Road over the last year and as we continue to recover from the pandemic, we are not sure how much more our business community can take. We also believe that this legislation will continue to further divide small businesses and vendors. We hope you will take these concerns seriously and carefully consider all the consequences in question while carefully looking at small business deserts around the city where it would make sense to create additional vending opportunities.



Fordham Road Business Improvement District (BID)
2488 Grand Concourse
Bronx, NY 10458
January 30, 2024

Chairwoman Menin & Members of the City Council Committee on Consumer and Worker Protection
250 Broadway
New York, NY 10007

Dear Chairwoman Menin and Members of the City Council Committee on Consumer and Worker Protection,

We are writing on behalf of the business community on Fordham Road to express our collective concerns regarding the proposed street vending bills, **T2024-0075** and **T2024-0074**, currently under consideration by the City Council.

Fordham Road is home to a vibrant and diverse business ecosystem, and we understand the need for balanced regulations that promote fairness and support economic growth. However, we strongly oppose the enactment of these bills, as we believe they pose a threat to the overall business environment on Fordham Road.

T2024-0075, allowing street vendors to operate within two feet from the curb or as close as possible to an obstruction, raises significant concerns for our streetscape. Expanding vendor operation areas without due consideration for the clear path or functionality of street furniture could lead to disruptions and obstructions of vital elements such as planters, fire hydrants, benches, bus shelters, sanitation containers, bike racks, and more. This lack of regulation may compromise accessibility, aesthetics, and public safety on Fordham Road.

Considering the existing challenges posed by unlicensed street vendors in our area, the proposed changes could exacerbate issues of crowding and disrupt the smooth flow of pedestrian traffic. This, in turn, may deter potential customers from visiting local businesses, impacting our sales

2488 Grand Concourse, Room 415/416 Bronx, NY 10458

Tel: (718) 562-2104 | Fax: (718) 562-6225 | @fordhamroadnyc | fordhamroad.nyc



and economic vitality. Regrettably, we have witnessed neighboring businesses closing due to these challenges, and there is a concern that others may follow suit.

In addition, **T2024-0074**, seeking to repeal misdemeanor criminal penalties for general and food vendors, raises apprehensions about the effectiveness of civil penalties as a deterrent. While we support the concept of decriminalizing street vending, it is imperative to strike a balance that ensures compliance with regulations through effective enforcement. The repeal of criminal penalties may inadvertently discourage equitable enforcement.

We urge you to carefully reconsider these bills and engage in a thorough examination of the concerns raised by the local business community. We believe that collaborative efforts between the City Council, local businesses, and street vendors can lead to regulations that foster economic growth while preserving the integrity of our streetscapes. One potential collaborative approach could involve identifying areas with limited access to food or shopping services and strategically placing vendors to address these needs.

Thank you for your attention to this matter. We would welcome the opportunity to discuss our concerns further and explore collaborative solutions that benefit both the business community and the residents of Fordham Road. Your careful consideration of these issues is crucial, and we appreciate your dedication to maintaining a thriving commercial environment in our community.

Sincerely,

Local Businesses on Fordham Road

34 Businesses Total



FORDHAM ROAD

Business Improvement District

Business Name	Title	Address
Less Clothing	Owner	2484 Grand Concourse
Dunkin (2 locations)	Manager	→ 4 E. Fordham Rd. → 321 E. Kingsbridge Rd.
NYC Clothes (2 locations)	Owner	→ 2490 Grand Concourse
Kids World		→ 8 E. Fordham Rd.
Kids World		39 E. Fordham Rd.
Porta Bella	Manager	58 E. Fordham Road
Qdoba	Manager	1 W. Fordham Rd.

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FORDHAM ROAD

Business Improvement District

Business Name	Title	Address
Checkers	Manager	379 E. Fordham
A+ & +	Rep	381 E. Fordham Rd
Primavera	manager	387 E Fordham Rd
Famous footwear	Manager	3318 Fordham Rd
ABC Drugs	Manager	470 E. Fordham Road
PARTY CITY	MANAGER	1 FORDHAM PLAZA
Dollar Deal	Manager	2489 Webster Ave

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FORDHAM ROAD

Business Improvement District

Business Name	Title	Address
Food Fair Fresh Market	Manager	2467 Jerome Ave.
Panda	manager	1 W Fordham Rd.
Twin Donut	Manager	1 W Fordham Rd
Audio King	Jacob	4 E Fordham Rd
Kingston Jewelry	normal	6 E. Fordham Rd.
K/R Jewelry Corp Zheni S Moira	Moses	8 E Fordham Rd
Pono. home. inc.	Manager	12 E Fordham Rd

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FORDHAM ROAD

Business Improvement District

Business Name	Title	Address
NYC	Manager	2476 GCC
Lees clothing	Manager / General owned	2476 GCC
XIOS	Manager	2476 GCC
Bon Bini	Manager	204 E Fordham
KidCity	Manager	308 E. Fordham .
V.I.M.	Manager	324 E. Fordham.

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FORDHAM ROAD

Business Improvement District

Business Name	Title	Address
North End	Bd. Member Mgr.	2509 Webster Ave
Convenience Love and Peek	Alex	2513 Webster ave
Plaza	Q	2515 Webster Ave
Phones & Games Center Inc	President Daniele	2519 WEBSTER AVE
BIG JAMIE	BIG JAMIE	BIG JAMIE

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FORDHAM ROAD

Business Improvement District

Business Name	Title	Address
ATI 3+	manger	16 E Fordham Road.
CNC	Mandy	52 E Fordham Rd.
Fordham game world	Daniel	56 E Fordham RD.

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Tel: (718) 562-2104 | Fax: (718) 562-6225 | @fordhamroadnyc | fordhamroad.nyc



NYC Council Committee on Consumer & Worker Protection
Oversight: Lithium-Ion Battery, Powered Bicycle and Powered Mobility Device Safety
Wednesday, January 31, 2024

Introduction

Good Morning, Chair Menin, and members of the Committee. It is our pleasure to again be before the Committee on Consumer and Worker Protection to discuss pivotal issues facing the City, specifically regarding the safety of delivery workers and collaboration with the delivery industry, including delivery app platforms like Grubhub.

My name is Joshua Bocian and I am the Senior Manager of Government Affairs for Grubhub. Thank you for the opportunity to testify regarding the topic of Lithium-Ion Battery, Powered Bicycle and Powered Mobility Device Safety and the various pieces of proposed legislation pertaining to this issue that is not only important to us at Grubhub, but to the many other companies, workers and consumers that rely on this technology each day. The loss of life caused by fires related to faulty lithium-ion batteries is tragic. The dangers of unsafe lithium ion batteries extend far beyond the restaurant delivery industry as groceries, convenience products, cargo, flowers, time sensitive documents and many other goods are now delivered via couriers on e-bikes. And it's not just delivery - thousands of New Yorkers rely on lightweight, portable means of transportation to get around each day. This is a citywide problem that requires a citywide solution, and Grubhub remains eager to collaborate on common sense proposals to ensure the safety of all New Yorkers. In short, we cannot solve this issue by only bringing a few stakeholders together as this committee continues to do.

Unfortunately, while well-intentioned, several pieces of the legislation we are discussing today risk destroying thousands of jobs and hurting the very working people this Committee is meant to protect. To be perfectly blunt, these bills will kill jobs.

Instead of working with all delivery services on sensible solutions to what is a complex problem, the Council has decided to advance the same flawed legislation we discussed three months ago in this very chamber. The DCWP already implemented driver pay policies last year that greatly reduced the delivery workforce, and today's legislation would make that problem exponentially worse.

At that hearing on lithium-ion battery-powered bicycles and powered mobility device safety held on October 23rd, 2023, we testified in opposition to Int. 1168-2023 and Int. 1163-2023,, two of the same bills we are discussing today, providing concrete examples of the flaws within the proposed legislation and offering recommendations for improvement. Despite general agreement at that time by members of the committee, Los Deliveristas Unidos (LDU) and the industry acknowledging the legislation as unworkable in its written form, we were surprised and disappointed to see these bills once again scheduled for a hearing without prior notification or discussion. While procedural in nature, we know this hearing remains our sole opportunity to raise additional new concerns. Furthermore, the fundamental flaws of the bills persist, and none of the amendments or recommendations we made have been incorporated.

Our Commitment to Investing in Safety

When we first appeared in front of this committee, you asked us to provide innovative solutions to reduce uncertified batteries on the road and create a safe ecosystem for bikers in the city. Since then, we've followed through and expanded our efforts to make a safer, more sustainable environment for delivery workers using e-bikes in New York City.

Almost a year and a half since Mayor Adams and Senator Schumer announced that safe charging and rest hubs would be built using federal funds, not a single hub has been constructed. In lieu of action by the city, we've moved forward with our own safe battery and charging programs and are the only delivery service currently providing delivery workers with safe charging infrastructure and storage capabilities. Nearly eight months ago, we announced a pilot program with JOCO, a leading delivery e-bike rental platform founded in New York City in 2021. This partnership has already provided more than a thousand delivery partners with free access to over a thousand safety-certified e-bikes, a partnership we look forward to expanding.

However, with the continued absence of progress in the city's initiative for safe charging hubs, we recognize the need to further build on our efforts. In the coming year, we're investing in an expansion of our JOCO partnership by sponsoring additional hubs for any active delivery biker to use – a space for bathroom breaks, to rest, charge their phone, grab gear, and get e-bike safety materials. Additionally, we'll be allocating hundreds of additional credits throughout the year for select bikers to use towards JOCO e-bikes, helping offset their operational costs and ensuring safe charging and storage, further reducing the threat to the city.

Furthermore, Grubhub is collaborating with City leaders, the Fire Department of the City of New York (FDNY) and industry partners to enhance the safety of the entire e-bike lifecycle. As part of our efforts, the Grubhub Community Fund provided a \$100,000 grant to the FDNY Foundation in support of their campaign to promote awareness and educate the public on safe practices for utilizing lithium-ion batteries.

We've also urged Congress to pass the ***Setting Consumer Standards for Lithium-Ion Batteries Act***, introduced by Congressman Ritchie Torres and United States Senators Kirsten Gillibrand and Chuck Schumer. This legislation would require the U.S. Consumer Product

Safety Commission to set a clear safety standard for rechargeable lithium-ion batteries in mobility devices.

These are just a few examples of how the industry continues to do our part to tackle this crucial issue, and Grubhub is committed to ongoing dialogue on how we can make a real, meaningful impact together.

Flawed Legislation

We want to express our appreciation for the Council's commitment on enhancing the safety of delivery workers and addressing the risks linked to illegal e-bike batteries and we are in support of bills T2024-0065, 66, and 67. We can see a reasonable path to implementing the provision in Council Member Brewer's bill (T2024-0068) that suggests including lithium-ion battery and charging safety in DOT's safety course. However, the requirement for us to provide safety equipment to our delivery partners is not only impractical but also legally challenging.

As independent contractors, our delivery partners manage their own equipment, making sure it meets safety standards, much like for-hire vehicle service drivers do for their cars. The DCWP even acknowledged this responsibility for delivery partners to ensure equipment meets safety standards by mandating that \$2.26 of the new minimum hourly rate of \$17.96 be specifically designated for the acquisition and upkeep of safety equipment, including certified lithium-ion batteries.

Even if we *could* provide such equipment, verifying its non-personal use would be impossible. Furthermore, the costs of obtaining and distributing the equipment would be excessive. These costs would mean higher prices to use our platform, which would discourage customers from ordering and lead to fewer orders for restaurants and fewer opportunities for delivery partners. Moreover, the bill is susceptible to abuse and fraud, especially given that many couriers work across multiple platforms, creating confusion about which company should provide safety equipment and in what quantity.

With regard to Council Member Feliz's bill (T2024-0072), we agree with the principle of ensuring all delivery couriers in New York City use UL-certified lithium-ion batteries in their e-bikes. However, the mandate for third-party delivery companies to provide these certified e-bikes, with costs exceeding \$1,800 per unit, is not practically viable for the same reasons I mentioned earlier. It's crucial to highlight that our business in New York City operates at a loss, despite misconceptions about billion-dollar profits. This City Council that has dramatically increased our costs is the same City Council that has refused to lift an unconstitutional cap on the services we can offer restaurants. While committed to significant investments in delivery worker safety, imposing additional costs on the industry without new revenue sources is unsustainable. If the Council continues to hammer away at delivery services like ours - delivery services New Yorkers depend on – the council risks eliminating thousands more jobs than they already have.

These are just a handful of facts that have been overlooked in proposing this legislation, helping illustrate why it's not an effective solution to the problem.

The vast complexities of this issue call for a more comprehensive analysis involving all stakeholders who are part of the growing e-bike and public safety ecosystems. Given the Mayor's announcement of the Department of Sustainable Delivery at his State of the City Address on January 24th, we believe it's wise to step back and examine how the regulatory environment may evolve over the next several weeks before proceeding with hearings on individual legislation. We're eager to work with your office, but we'd like to do so methodically and in a way that makes the most sense for the Council, our delivery partners, restaurants, diners and our business. We very much encourage this dialogue and would be willing and active participants.

Thank you for the opportunity to share our perspective.



Hudson Square
Business Improvement
District

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Council Member Erik Bottcher

Samara Karasyk
President & CEO

January 31, 2024

Committee on Consumer and Workers Protection Oversight – Street Vending

Re: T2024-0075

I am Samara Karasyk, President of the Hudson Square Business Improvement District (HSBID) and am writing to submit written comments on T2024-0075, which would permit street vendors to vend within two feet from the curb or as close as possible to an obstruction. We are concerned about how this would deteriorate pedestrian safety and accessibility on our local streets and sidewalks.

Since 2009, HSBID has overseen the transformation of Manhattan's former Printing District into a thriving creative hub. The area we manage is generally bounded by Clarkson in the north, 6th Avenue in the east, Canal Street in the south, and West Street in the west. Our mission is to put Hudson Square on the map by capturing the spirit of innovation that is thriving in the commercial spaces and bringing that energy into the public realm, while promoting social, economic, and environmental sustainability. HSBID's primary function is to undertake capital and place-making projects that improve the neighborhood's conditions with respect to pedestrian safety (and sanity), streetscape, and retail (ground-floor) environments.

Unlike other BIDs that focus mostly on sanitation and security, we were founded to implement streetscape improvements to make Hudson Square a place for people instead of cars. To that end, the BID has installed over 500 Hudson Square Standard Trees with enlarged tree pits and permeable pavers, expanded and renovated a 7 block stretch of Hudson Street with wider sidewalks, greening and seating, and created new open spaces at Spring Street Park and Freeman Plazas.

Given this focus, HSBID is concerned about Int. T2024-0075's proposed changes which would allow for vendors to operate in front of "obstructions." While the term "obstruction" is undefined, we understand it to include bike racks, planters, bollards, tree pits and other street furniture. This would represent a significant change to our streetscape without consideration of clear path requirements, sidewalk clutter, and the usability of and access to street furniture. We believe that lack of access to street furniture and street vending taking place so close to "obstructions" would have a significant and negative impact on pedestrian mobility, especially for people with disabilities who use wheelchairs, scooters or other walking aids. It would also create real challenges for pedestrians with strollers. People would have less of a clear path to maneuver around other people and objects, directly impacting their safety. Benches could become inaccessible. Seating amenities are critical for people with mobility challenges who might need a moment to rest while walking along the street. Seating also plays a critical role in creating a welcoming and safe people-focused community.

While we value and appreciate the important role that street vendors play in our urban landscape, we hope that key government agencies, BIDs, and other key

180 Varick Street
Suite 422, New York
NY 10014

T 212.463.9160
F 212.463.9165
W HudsonSquareBID.com



Hudson Square
Business Improvement
District

neighborhood stakeholders are consulted before any action is taken. In New York City, there are many actors that need access to our streets and sidewalks, and we must take a comprehensive look at all user needs to balance them appropriately and enhance the urban environment thoughtfully. We look forward to working with our colleagues in government to ensure that our streets continue to be places for all people – where adults and children can walk safely without challenges to their mobility - so that everyone can take advantage of the rich street life that all our wonderful city has to offer.

**Verbal Testimony on 2024-0075 (formerly Intro 1253)
New York City Council Hearing
1/31/2024 1pm**

T75 is a real estate power grab masquerading as an unnecessary safety initiative that puts private for-profit interests over pedestrians and public amenities.

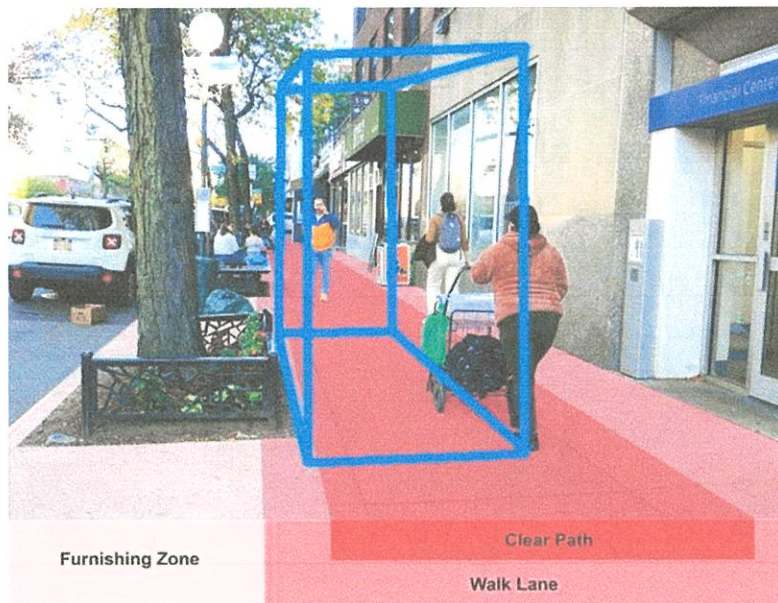
The bill intends to fix a problem that doesn't exist. The Department of Health's written guidelines allows street vendors a 1 foot buffer from the curb. Instead of simply codifying the existing allowance into law, T75 would radically change how our sidewalks operate.

Given the undefined term "obstruction," T75 would, as written, allow vendors to block bike racks, public benches, LinkNYC Kiosks, news racks, newsstands, Citibike stations, parking meters, and mailboxes, rendering them all useless. T75 would also allow vendors to set up in front of street trees, putting them in the middle of the sidewalk (rendering below). Perhaps most absurd, T75, as written, would allow a vendor to physically block another vendor.

At best, T75 is sloppy and incomplete. At worst, T75 was purposely written to radically change public sidewalks.

Either way, T75 is poorly written and unworkable. The City Council should send the bill back to be reworked, with input from all applicable agencies, such as DOT, DEP, FDNY, and Parks.

Daniel Scorse
Vice President of Operations
Hudson Yards Hell's Kitchen Alliance (HYHK)



To the New York City Council,

Thank you for the chance to share my perspective on e-bike safety in New York City and how delivery workers use them. The bills that the Council is considering definitely have the intention of keeping us safe, but they also could have serious consequences for restaurants like mine during an already challenging time for the industry.

I opened La Panineria in 2014 and while it took us a few years to get off the ground, we have now become a big part of the community in Greenwich Village as a well-known Italian food hotspot and one of the best Italian sandwich shops in New York City. We love welcoming customers into our restaurant and cherish the community we have built in our neighborhood, but we really owe a lot of our success beyond the Village to third-party delivery apps like DoorDash who have helped our business to grow across the five boroughs and develop the reputation that we have.

We started working with DoorDash about eight years ago in 2016 and we would get about one order a week. This changed drastically when COVID-19 hit New York City and restaurants like mine had to shut down for in-person dining. We were lucky, as we were one of the businesses that were able to continue operating during the worst days of the pandemic. Partnering with delivery apps like DoorDash allowed us to really thrive during this time, because they gave us the opportunity to meet our customers where they are. We likely would have shuttered without access to delivery.

Though the worst days of the pandemic are over, delivery apps continue to drive our growth and help us reach new customers. We're able to use these platforms to help drive the bulk of our revenue, and our restaurant as we know it would not be as successful without offering these services alongside our in-person dining. We are not alone in this, and I know from other small business owners that many restaurants in New York City would not be where they are today .

For these reasons I am opposed to T2024-0072 and T2024-0068, which could drastically change the way these delivery platforms operate in the City. We operate in a very small-margin industry, so any increased costs can have significant impacts on us. If the City is already requiring the food delivery apps to pay for workers' e-bikes, batteries and safety equipment, then that's going to get passed on to businesses like mine and my customers. With platforms helping me generate badly needed growth and extra orders, this could mean a substantial impact on our bottom line

Our restaurant has been grappling with frustrated customers because these apps now have higher fees due to the minimum pay rate, and we are beginning to see a decline in delivery orders. If these bills are passed, they could impose even more duplicative costs for the restaurant industry and drive down orders even further.

Potentially even worse, these platforms might have to limit e-bike delivery services because of new rules, which would make it even harder for us to continue providing this essential delivery service that our customers have grown to know and rely on

I implore the City Council to consider the concerns of restaurant owners like myself and the impacts these bills could have on small businesses in the five boroughs. The focus should be on solutions that address safety issues raised by unsafe e-bike batteries, without over burdening restaurants like mine and jeopardizing a key revenue stream for us. Thank you for the opportunity to submit testimony.

Sincerely,
Mario Pesce
Owner of La Panineria

To the New York City Council,

My name is Maria Notaro, and I run Laguli Pastry, a small Italian bakery in Astoria. I am grateful for the opportunity to testify before you today, sharing my experience and shedding light on how businesses like mine are impacted by the policies surrounding delivery platforms.

Laguli Pastry specializes in traditional cookies and wedding cakes, which have been a cornerstone of our work. When the pandemic struck and weddings came to a halt, I turned to delivery platforms such as DoorDash, Uber Eats, and Grubhub as a means to sustain my business and continue to serve our loyal customers. These platforms were a lifeline, providing a practical way to rely on delivery orders to support my staff and keep my bakery going.

While we're happy to be able to have customers coming into our bakery again, delivery continues to be an important way to reach new customers. Employing a full-time driver is not really feasible for my business, so I need to have access to these third-party platforms who can help make these deliveries possible.

Now though, the new city laws are increasing the cost of delivery — specifically the recent minimum pay rules — and my concern is that T2024-0072 and T2024-0068 would just make those costs rise even higher.

Additional costs for these companies, on top of the minimum pay rules that are driving up costs for everyone, would mean these companies would be paying even more, and would undoubtedly lead to even higher prices for my customers. It is not feasible for delivery platforms, and thereby small businesses like mine, to bear these costs.

The proposed bills seem like they would only make the situation worse, not better by addressing the broader safety issues. Anyone who spends time in Astoria knows our city has real issues when it comes to congestion and traffic, but these bills seemingly only make it more difficult to address these issues if the companies have to restrict use of e-bikes.

Worse, in doing so, they would put an even bigger financial burden on small businesses and our customers who are actually already contributing financially to help solve this problem.

The policies currently under consideration could jeopardize the survival of businesses like mine. I urge the City to adopt a comprehensive approach, not just measures that would impose higher costs for everyone and do not lead to meaningful change for anyone who needs it.

Sincerely,
Maria Notaro
Owner of Laguli Pastry



MONICA BLUM
PRESIDENT

1881 Broadway, Suite 2R
New York, NY 10023

T 212.581.3774 F 212.581.3563
mblum@lincolnsquarebid.org
www.lincolnsquarebid.org

January 31, 2024

Statement by Monica Blum, President of the Lincoln Square Business Improvement District, to the NYC Council Committee on Consumer and Worker Protection regarding T2024 – 0075 and related street vending bills.

Thank you to Council Member Julie Menin, Chair; Council Members Abreu, Brewer, and other members of the Consumer & Worker Protection Committee for the opportunity to submit testimony regarding the recent package of bills pertaining to street vending in NYC. My name is Monica Blum and I am the President of the Lincoln Square Business Improvement District (BID). We represent some 250 businesses and not-for-profit and cultural organizations on the Upper West Side of Manhattan. Our district extends from The Shops at Columbus Circle at 58th Street and along Broadway, Columbus Avenue and Amsterdam Avenue up to 70th Street and of course includes Lincoln Center for the Performing Arts. Annually, Lincoln Square draws millions of visitors who, along with residents, employees, commuters, street furniture, and vendors create extremely congested sidewalks in our district. The Columbus Circle subway station is the 7th busiest in New York City. And DOT in its Pedestrian Mobility Study has designated Broadway, the spine of our district, as a Global Corridor – the busiest rating.

Our testimony today focuses primarily on the impact of these bills on the sidewalks. Over the years, we have developed good working relationships with most of our vendors. We have worked with our partners at the NYC Departments of Sanitation, Consumer & Worker Protection and Health and Mental Hygiene, as well as the 20th Precinct, to insure that vendors in Lincoln Square comply with the various laws and regulations. Two years ago we did a walk through in our district with DCWP who visited every vendor to explain the rules. The new DSNY enforcement unit, in particular, has been extremely helpful with the vendors particularly at Calabrese and Keegan Plaza at Columbus Circle, which has been a vending hot spot for many years. In addition to working with DSNY's Enforcement Unit, we worked closely with the Department of Health and Mental Hygiene, and DCWP to address a handful of vendors whose permits had expired or those who left carts unattended overnight. We recommend that this DSNY Enforcement unit be expanded and educational programs be expanded.

It is our understanding that the package of bills before you today includes recommendations from the "Overview and Recommendations from the Street Vendor Advisory Board" dated May 2022; however, one bill **Int. T2024-0075 that you are considering would permit vendors to be 2 feet from the curb. That was not one of the Advisory Board's recommendations and we are strongly opposed to its passage for many reasons.**

Changing this rule which affects the safety of pedestrians and the walkability of the sidewalks should not be considered without taking into account the current state of affairs in New York City. The Department of Sanitation has just issued new regulations that will take effect on March 1 that will require all businesses in the City to put garbage out on the sidewalks in closed bins. Bags will no longer be permitted on the sidewalks. The impact of this new rule will affect our sidewalks – narrow ones and wider ones. Many businesses will have to use multiple large bins, and in many cases, they do not have the space to store them during the day. This will add considerably to the clutter on the sidewalks, which currently includes benches, bike racks, hydrants, light poles and DOT signage, congestion pricing gantries, bus shelters, bus signage, DOT wayfinding signage, and other structures. I believe that DSNY had previously expressed concern, prior to this latest regulation, about permitting vendors to be 2 feet from the curb. In fact, DSNY, at the last City Council committee hearing on December 13, 2023, stated "siting changes must be part of a larger conversation on how our public space is maintained." DOT has issued a Pedestrian Mobility Study rating sidewalk congestion and evaluating the use of sidewalks but this study does not take into account the Department of Sanitation's newest regulations.

Int. T2024-0075 would permit vendors to be 2 feet from the curb whereas now they must abut the curb. This would result in narrowing our sidewalks, and would create pedestrian hazards and will compromise safety in already congested areas. In our district, which has a large residential population, we have many elderly people who use walkers and canes, and must navigate sidewalks that in some cases are pretty narrow. We have delivery bikes along these same sidewalks and parents with strollers taking children to school. And we have people walking dogs. In areas where there are tree grates, planters, city benches, light poles and fire hydrants (to name a few), vendors could arguably go in front of these obstructions and clear pedestrian paths would be further reduced. The City just embarked on a massive tree planting effort and vendors would clearly place their carts in front of these new young trees if they were not required to be at the curb. Permitting vendors to be away from the curb makes no sense in light of increased pedestrian traffic on our sidewalks and is in direct conflict with DOT's Clear Pedestrian Mobility plan. Some BIDs, including ours have installed Citibins in the curb in an effort to remove bags off the sidewalks, which is an initiative of great importance to DSNY. These bins must be accessible from the street so that DSNY can empty them, and from the sidewalk so that we can load the bins with the public's garbage that we sweep up. Surely, we don't want to replace garbage bags with multiple vendor carts. We oppose Int. T2024-0075 and don't think any changes related to distances and clearances should be made without requiring clear path guidelines. These rules were developed for the safety of pedestrians and to insure walkability in New York City.

We note for the record we are generally opposed to lifting the cap on licenses for vendors (previous Intro 1270-2023) until a thorough evaluation of regulations and existing conditions are explored with an emphasis on pedestrian safety, accessibility and training of vendors.

Since I last testified on a similar package of legislation in 2019, the retail market in New York has changed dramatically, as tighter margins and e-commerce threaten retail businesses city-wide. In our district alone, the retail vacancy rate has doubled, and pedestrian counts remain down, as businesses close and many have adopted a three-day work week. It is clear that our brick-and-mortar businesses, restaurants and delis face many challenges with new Sanitation rules, constant legislative mandates, and increased competition from vendors, meal delivery services, and e-commerce. Increasing the number of mobile food vendors would increase the burden on our brick-and-mortar businesses who provide valuable goods and services to our communities. We note that most of the new businesses that are opening and doing well are small cafes, bakeries and small specialty food shops.

One of the major shortcomings of the current bills is that there is no mechanism for the siting of vendors, which is something that is critical if the numbers were to increase or if the distance from the curb were to change. Our sidewalks are a precious commodity and are becoming increasingly crowded; they are for public use and not for private use absent appropriate input, stakeholder notification, and agency review. As we all know, often times food vendors set up directly in front of brick and mortar businesses and sell similar food products. In our district, sadly two small businesses, a family owned deli and a Mexican restaurant, were forced to close due to the fact that in one case a truck and in the other a cart stationed themselves directly in front of the businesses.

Until recently, Lincoln Square had a vending "hot spot" at Calabrese and Keegan Plaza (not an official plaza), an incredibly congested sidewalk area at the main entrance to the 7th busiest subway station, Columbus Circle/59th Street, where some 10 vendors competed for limited space daily with bike hawkers, a weed seller, street performers and the general public, including tourists, going to and from Central Park, the Shops at Columbus Circle, Lincoln Center, Mt. Sinai West, John Jay College, and Fordham University, among other places. The NYPD was called frequently to intervene in some pretty violent situations and fighting between vendors.

Thanks to the intervention of the new DSNY Enforcement Unit the situation at Calabrese and Keegan Plaza has improved. The new unit insured that all the vendors at that location were in compliance with the existing rules, and were close to the curb, and were not blocking busy crosswalks as they had been doing. Calabrese and Keegan Plaza is far less crowded, and crosswalks are no longer blocked and pedestrians can move about safely and still get their drinks and assorted food. Unfortunately, some mobile food vendors remain on the subway grates, but it's our understanding that only general vendors are prohibited from vending on sidewalk grates, which is another example of the piecemeal nature of these bills. We urge increased funding for the Enforcement Unit before any cap is lifted.

New York City and our streets and sidewalks have changed dramatically in recent years. There has been a tremendous increase in street furniture, including new and improved bus shelters and newsstands, the addition of wayfinding signage, benches, trash and recycling receptacles, bike share stations, bike racks, bike lanes, and the addition of a million trees and Citibins and waste receptacles. And that does not include the new Outdoor Dining program that will be implemented in 2024, which also has clear pedestrian path siting requirements. E-commerce such as Amazon in residential neighborhoods such as ours bring huge trucks with delivery people trying to cross crowded sidewalks to bring goods to residents, too. And people are eating out less and getting food delivered by bike delivery people who often leave bikes on the sidewalks.

I commend the Council for taking on the complex issue of street vending in NYC but I urge you to do it right. I have been working on this issue as the head of Lincoln Square for 27 years, and know how complicated this is. However, I do not think that throwing the baby out with the bathwater is the solution. **Rules were created for safety reasons and requiring vendors to abut the curb is essential to insure pedestrian safety, safe walkable sidewalks, and accessible pathways, particularly in congested areas.** Some neighborhoods, including ours, have anchor institutions - large cultural and educational institutions, hospitals, shopping malls - and transportation hubs which bring large crowds throughout the day. Students rushing to school (we have many), concert goers making curtains, diners with hard to get reservations, etc. Navigating many sidewalks is already difficult. Please do not make this city less livable by eliminating rules that make people feel safe. In conclusion, we urge you not to pass **Int. T2024-0075** and any other legislation that will change our streetscape forever and not necessarily for the better. Over the years there have been some legislative changes, cherry picking, as it were. We need an expanded enforcement unit, a comprehensive review of current restrictions, a database of all vendors, and a neighborhood specific siting plan for all vendors that makes New York City sidewalks a model rather than a chaotic jumble of pedestrian obstacles. One-off changes don't solve the problems and the use of our already congested sidewalks requires a comprehensive plan. You cannot un-ring the bell. Thank you for your thoughtful consideration of our concerns.

Committee on Consumer and Working Protection
January 31, 2024
Public Hearing

Comment on
Street Vending in NYC

We are writing on behalf of the Long Island City Business Improvement District to provide feedback on the recent package of legislation related to street vending. While we support the measures to decriminalize street vendors and protect licensed street vendors and allow them to legally vend safely and fairly, we are deeply concerned by a few of the bills provided in this package. Specifically, we are concerned with T2024-0075 that will allow vendors to set up two feet from the curb.

The LIC BID comprises over 300 commercial businesses and is focused on supporting small businesses. In addition to providing sanitation and beautification services, we attract new businesses to LIC, retain those already here, welcome new residents and visitors, and promote a vibrant and authentic mixed-use community.

Our sidewalks in Long Island City have a limited amount of space to provide for a large amount of foot traffic, city street furniture, bus stops, outdoor dining set ups etc. Even with the current law that requires vendors to abut the curb, there is limited space left over for pedestrians to safely get to where they need to be. Allowing vendors to set up two feet from the curb or placed as close as possible to any obstruction will greatly impact the pedestrian experience on any given city corridor, and especially in Long Island City. There are specific rules and guidelines for items placed on the sidewalk provided by the Department of Transportation in the NYC Street Design Manual. This bill fails to acknowledge any of these existing siting guidelines and/or if they will be required to follow them. These rules are set in place to maintain clear paths for pedestrian flow and to keep our sidewalks safe and clear of congestion that would impede the pedestrian right of way, especially in high traffic areas. If food vendors can set up on the sidewalk, their siting must fall within the existing mobility guidelines.

On behalf of the Long Island City BID, I thank you for your consideration on this matter.



**WRITTEN COMMENTS TO THE NEW YORK CITY COUNCIL
COMMITTEE ON CONSUMER AND WORKER PROTECTION**

**HEARING TOPIC: LEGISLATION TO REGULATE STREET VENDING
AND E-BIKE USE BY THIRD-PARTY DELIVERY WORKERS**

JANUARY 31, 2024

The Manhattan Chamber of Commerce is the convener, voice and advocate of the 125,000+ businesses across the borough of Manhattan, which is the heart of New York's economy. We're focused on advancing the economic vitality of our region by building a strong and thriving climate for the broad business community, including small businesses, startups and large companies.

Bills on street vending

We strongly support the entrepreneurship found among our city's smallest businesses: street vendors. They play an important role in the city's ecosystem, generating critical income for the vendors themselves while offering New Yorkers and tourists affordable options for foods and products. We have long sought a clear regulatory framework in the city that enables these entrepreneurs to flourish. In the absence of that framework, vendors have been vilified and punished for operating in a "Wild West"-like manner. That is why implementing, clarifying and enforcing rules for street vending is so critical.

To that end, we appreciate the City Council for continuing to refine this framework and ensure that it works for all by balancing the needs of vendors with the needs of residents, pedestrians, brick-and-mortar businesses, and vehicular traffic.

We support legislation (*T2024-0073/Menin*) that prohibits vending in bike lanes. We also support the recent ban of vending on the city's bridges which was implemented by the Department of Transportation. As such, we do not support the legislation before you today (*T2024-0071/Brewer*) because it would undermine that new rule.

We also support the legislation (T2024-0074/Krishnan) that would decriminalize street vending by barring criminal penalties for illegal vending and require a more lenient civil penalty instead.

We have strong concerns with the legislation (T2024-0075/De La Rosa) that would allow vending two feet from the curb, as this could impede pedestrian flow, reduce accessibility and lead to unsafe conditions (as depicted in the picture at right). We urge that the bill clarify that in all instances a minimum of 12 feet of sidewalk space must be maintained.

Bills on e-bike safety

We oppose legislation (T2024-0072/Feliz and T2024-0068/Brewer) that aims to address e-bike and battery safety. Battery fires remain a critical problem in New York City, and we commend this Committee and the Council for the actions it has taken so far. Setting safety standards, creating a trade-in program, and investing in education are key steps that will underpin a long-term solution.



However, we're very concerned that the same problematic proposals from last year have been re-introduced. Since the prior hearing in October 2023, only one thing has changed - the City's minimum pay standard for delivery workers has taken effect, which includes pay that directly compensates workers for the costs of e-bikes, batteries, and safety equipment. As a result of the minimum pay standard, our members and their customers are facing higher costs, and food delivery is becoming increasingly challenging and harder for them to afford. These new bills would require workers to be paid for these things twice. We're alarmed to see this Committee considering proposals that can only drive up costs further, and duplicate worker pay that is already being provided from businesses in food delivery.

We remain deeply troubled by the following aspects of these bills:

1. Both bills directly conflict with the City's minimum pay standard for food delivery workers. The pay standard has already been calculated to include \$2.26 extra per hour to fully reimburse workers for their expenses, including the cost of e-bikes, batteries, and safety gear. These costs aren't just being paid by food delivery platforms, they're being borne by everyone in food delivery, including restaurants and customers. The Council should not impose duplicative and overlapping requirements to provide this equipment.
2. T2024-0072 fails to address the many important barriers that are hampering the Council's efforts to upgrade the supply of e-bikes and batteries in NYC. There is no mechanism for recycling, it doesn't take into account other solutions the City is exploring (such as certified batteries), and it undermines the trade-in program legislation the Council just passed last year. It's also completely impractical given how food delivery workers actually work, with many being part-time workers and

most using multiple apps to work. This is simply not an effective approach that is out of step with other initiatives the City is leading.

3. These policies could effectively shut down or dramatically reduce e-bike delivery through third-party platforms. If the use of e-bikes carries the tremendous cost of having to pay for bikes and safety gear twice, it's hard to imagine how they could continue to be used for delivery. This would be a massive problem given that the City itself estimates that 66% of deliveries occur by e-bike. It's unlikely that these deliveries could fully be replaced with cars, and encouraging workers to shift their delivery mode to motor vehicles (or even worse, illegal mopeds) would be a step backwards for issues like congestion, climate, and safety. The City's streets are a shared resource, and businesses across the City – across all industries – depend on them to move the people and goods that keep this City running. Imposing new, heavy handed regulation on e-bikes will inevitably trade those e-bikes for cars and trucks, flooding the streets with more vehicles and threatening the flow of commerce. This will be hugely disruptive not just to restaurants and other businesses that use delivery, but all of the City's economy, and it will undermine other City objectives.

The City needs to create a plan that takes into account all of its existing laws and policies, and addresses missing links in today's system (like recycling). We can't pass more policies that hurt retailers and their customers, especially when mechanisms have already been put in place to ensure that the food delivery sector contributes financially to this problem. The City should be looking at new funding sources to support its programming - not placing even more burdens on restaurants.

We reiterate our firm support for efforts to stop battery fires, but these bills are not the right path. We encourage the Committee to re-think its approach in order to amplify the safety measures that are already in place and make sure they're successful.



Mario's

January 31, 2024

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Regina Delfino, the Owner of Mario's Restaurant located on Arthur Avenue the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

Mario's Restaurant and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

I am concerned that if vendors are permitted to vend within two feet from the curb or as close as possible to an obstruction, there will be too much clutter on sidewalks. As written, this bill has no regard for walk lanes or functionality of street furniture and infrastructure, and will surely impact the outdoor dining program, pedestrian safety, and ADA regulations, particularly in neighborhoods with narrow sidewalks, like exists here. Vendor set ups, and/or their personal vehicles, already take up essential parking spaces and sidewalk space in Belmont. Our commercial district engages with several million customers a year, over 80% of whom drive from between 10 and 40 miles away, and bring many millions of dollars in economic activity to the neighborhood and for the city. Clear and easy access to the sidewalk and these blocked parking spaces is critical for our residents, visitors, customers, and our ability to conduct business.

I am concerned that permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction, and repealing misdemeanor criminal penalties for general and food vendors may lead to vendors openly flouting various laws to the public's detriment. I do not believe that these bills will benefit or enhance our city, and will only hurt countless small businesses and the community. Thank you for your consideration.

Sincerely,
Regina Delfino
Owner
Mario's Restaurant

To the Esteemed Members of the NYC Council Consumer & Worker Protection Committee,

Addressing the Street Vendor Bill with a Focus on Regulation, Education, and Integration

I am Marco Shalma, a leading figure in New York City's vibrant hospitality industry and the founder of MASC Hospitality Group. The development and growth of renowned NYC brands, such as the Bronx Night Market and the Uptown Night Market, among others, has marked my journey in this sector. These ventures have not only contributed significantly to the city's cultural and culinary landscape but have also demonstrated my commitment to fostering community engagement and economic growth. My experience in managing these successful initiatives provides me with a unique and practical perspective on the complexities of New York City's dynamic marketplace, particularly in relation to the street vending community.

The topic of street vending in our city is often portrayed as a social justice issue by certain groups with various interests. However, this issue is deeply rooted in the interplay of existing social constructs and legal frameworks. We must consider the experiences of immigrant families who have chosen to operate within the system by obtaining necessary licenses and participating in our celebrated food festivals and various market activations in our public spaces. Their success stories highlight the critical importance of adhering to a structured legal framework.

The solution to the street vendor challenge lies in a balanced approach that emphasizes both regulation and education:

- **Public Health and Safety:** Ensuring that vendors meet health and safety standards is critical for protecting public welfare and preventing health hazards.
- **Fair Competition:** Proper regulation fosters a level playing field between street vendors and traditional brick-and-mortar businesses, promoting healthy competition.
- **Quality Control:** Regulations help maintain high standards in products and services, which is key to ensuring customer satisfaction and trust.
- **Urban Order and Aesthetics:** Effective regulation of street vending contributes to the orderly management of public spaces and enhances the city's aesthetic appeal.
- **Tax and Revenue Compliance:** Regulations ensure that vendors are contributing their fair share to tax revenues and are appropriately accounted for in economic statistics, supporting equitable public services and infrastructure.

Education is paramount in this process. By educating vendors about legal requirements, providing support in obtaining permits and insurance, and offering guidance similar to the vendor empowerment programs in Los Angeles, we can enhance compliance, responsible vending, and fair competition. This approach mirrored in cities like Portland, not only builds public trust through quality and safety but also benefits the overall economic health of New York City.

In conclusion, as a seasoned professional who has successfully navigated the intricacies of NYC's bustling food and hospitality scene, I advocate for a comprehensive strategy that emphasizes regulation, education, and integration of street vendors into the formal economy. This approach, rather than hastily changing laws, ensures a fair, safe, and economically beneficial environment for all stakeholders, uplifting the vending sector while maintaining the city's legal and social integrity.

Thank you for considering my perspective on this important matter. I am confident that together, we can create a thriving and inclusive environment for all businesses in our beloved city.

Respectfully,

Marco Shalma

Founder, MASC Hospitality Group

MATERA REALTY CORP

696-704 East 187th Street

Bronx, NY 10708

January 30, 2024

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Maria Costanzo, the owner of Matera Realty Corp. located on 696-704 East 187th in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

Matera Realty Corp. and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

I am concerned that if vendors are permitted to vend within two feet from the curb or as close as possible to an obstruction, there will be too much clutter on sidewalks. As written, this bill has no regard for walk lanes or functionality of street furniture and infrastructure, and will surely impact the outdoor dining program, pedestrian safety, and ADA regulations, particularly in neighborhoods with narrow sidewalks, like exists here. Vendor set ups, and/or their personal vehicles, already take up essential parking spaces and sidewalk space in Belmont. Our commercial district engages with several million customers a year, over 80% of whom drive from between 10 and 40 miles away, and bring many millions of dollars in economic activity to the neighborhood and for the city. Clear and easy access to the sidewalk and these blocked parking spaces is critical for our residents, visitors, customers, and our ability to conduct business.

I am concerned that permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction, and repealing misdemeanor criminal penalties for general and food vendors may lead to vendors openly flouting various laws to the public's detriment. I do not believe that these bills will benefit or enhance our city, and will only hurt countless small businesses and the community.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maria Costanzo', with a long, sweeping horizontal line extending to the right.

Maria Costanzo

Owner/Partner

Matera Realty Corp.



TESTIMONY BEFORE NYC COUNCIL

COMMITTEE ON CONSUMER AND WORKER PROTECTION

Street Vending Legislation

January 31, 2024

Good Afternoon. My name is Rob Byrnes, and I am testifying today on behalf of the NYC City BID Association, which I serve as Co-Chair of the Working Group on Street Vending. I'm also the President of the East Midtown Partnership, a Manhattan Business Improvement District.

First of all we want to Congratulate Council Member Menin, who represents part of the East Midtown district, on her appointment as Chair of this important committee, and we congratulate all the Council Members for their new terms. We look forward to continuing our work together.

The BID Association has been at the forefront of conversations around street vending policy for years. Nothing is more important than maintaining public safety and economic vibrancy in the neighborhoods we serve. We understand that New York City has always had street vendors, small entrepreneurs who are trying to make a living and support their families. The same motivation drives our storefront businesses, including the small shops and restaurants that make our communities unique.

As stewards of vibrant neighborhoods, many BIDs welcome licensed street vendors in their districts. Some have even voluntarily added vendors to their Boards of Directors. However, many communities have also struggled with vendor operations that interfere with pedestrian walkways and storefront businesses.

We welcome common sense changes to laws that will make it easier for street vendors to make a living but believe these changes should occur in conjunction with the enforcement of existing rules, responsible siting criteria, and other regulations meant to ensure things like a clear path for pedestrians, the maintenance of a reasonable distance from storefront businesses, and accessibility for those with mobility challenges.

BIDs actively participated on the Street Vendor Advisory Board which issued a number of recommendations in the Spring of 2022. This included agreement on several reforms to the system that would be helpful to vendors. Several of the bills on the agenda today reflect those recommendations, but some do not. Specifically:

We support T71 and T73 which would clarify rules around vending on bike lanes and on bridges.

We also support T69 and T70 which will provide greater flexibility to street vendors on the display of goods, bookkeeping requirement, and employees.

While we generally support the de-criminalization of street vending in T74, we do want to ensure that agencies have the appropriate tools to enforce siting, health, and other critical regulations.

We have significant concerns about T75, which would allow for vendors to operate in front of “obstructions.” “Obstructions” is undefined, but we understand it to include bike racks, planters, bollards, and other street furniture. Maybe even fire hydrants. We believe that this significant change without consideration of clear path requirements, sidewalk clutter, and the usability of street furniture would be problematic.

Even with the existing 12-foot clear path requirement from a building to an obstruction, this law would allow a vendor to operate within and therefore significantly reduce the pedestrian walkway. Rules allow for vending carts to be up to 5 feet wide, not including space for the vendor or their customers. Therefore, it’s not unreasonable to imagine a situation where a vending operation takes up 5 to 7 feet or more within the clear path lane, thus leaving less than 5 to 7 feet for pedestrians. Even the temporary open dining program mandated an 8-foot-wide minimum clear path between outdoor seating to maintain the pedestrian walkway. We are very concerned that this legislation could have a dramatic impact on pedestrians, and especially individuals with disabilities or pushing strollers.

We hope that key agencies, BID leaders, and other key stakeholders will be consulted and that the impact of this legislation will be further studied before any action is taken.

We look forward to continuing our work with the Council and administration on vending policy. Thank you.

January 31, 2024

Comments of the NYC Hospitality Alliance on [T2024-0075](#): *Permits street vendors to vend within two feet from the curb or as close as possible to an obstruction*, in front of the NYC Council's Committee on Consumer and Worker Protection

The NYC Hospitality Alliance ("The Alliance"), a not-for-profit association representing thousands of restaurants, bars, and nightclubs across the five boroughs submits these comments on [T2024-0075](#): *Permits street vendors to vend within two feet from the curb or as close as possible to an obstruction*.

The Alliance recognizes the sponsors' intent of this proposal as a safety mechanism to provide additional space for some vendors who in certain situations, due to rear entry/exit cart design must enter/exit their carts onto the street, and potentially, into oncoming traffic, a bike lane, or parked vehicle. This may not be an issue for vendors who stand or sit next to their unit, such as a hotdog cart where the vendor stands on the side or in front and not behind it, but it can be for those who use vending units they stand in that open from the back, thus running parallel to the street. The obvious solution is to use side entry/exit mobile vending units, so people do not need to step into a thoroughfare, like the design of newsstands around the city, which works successfully. Such a design would not further restrict a clear path for pedestrians.

With that said, our most pressing concern is ensuring that mobile vendors, restaurants participating in the newly enacted DineOut NYC outdoor dining program, pedestrians, delivery workers, and other users of the sidewalk may co-exist as harmoniously as possible together, and restricting a clear path for pedestrians is a concern. To better ensure vibrant, yet safe sidewalks, we suggest two amendments:

- First, for sidewalk cafés to be approved by the City of New York they must meet minimum clearance and clear path requirements. That minimum is often increased after applicants appear and negotiate before local community boards. We cannot then have a vendor infringe on that very required clear path that was approved and that the restaurant must legally provide. Thus, clear language should be added stating that a mobile vending unit or table must provide at least 12 feet of clear path to the outer perimeter of a licensed sidewalk café, and that a restaurant shall not be held liable for a clear path violation if their approved clearance is obstructed by a mobile vending unit, or any other obstruction for that matter.

- Second, if a brick-and-mortar business is permitted to utilize the roadway in front of their location, such as a restaurant's roadway café, clear language prohibiting vending in front of such licensed area must be added to this legislation. This will ensure that the employees of said brick-and-mortar business and their customers aren't required to maneuver around a vending unit to safely reach the licensed street area, thus reducing potential hazards for workers, customers, pedestrians, and vendors, while also reducing sidewalk congestion.

These two amendments are essential for the safety and the general use of the sidewalk with many different uses. Thank you for your consideration of our comments.

Please contact our executive director Andrew Rigie with questions at arigie@thenycalliance.org

Respectfully submitted,

NYC Hospitality Alliance

Testimony on 1/31/24 Committee on Consumer and Worker Protection Hearing

Open Plans writes today to testify on the set of bills discussed at the January 31st, 2024 meeting of the City Council Committee on Consumer and Worker Protection Hearing. Comments on the discussed bills are below:

- **We support T65, T66, and T67.** We believe that e-micromobility is a vital part of a more livable, accessible, and green future. Helping ensure the safety of the batteries that power these devices, as Ints. 65, 66, and 67 do, helps build safety and trust for users of these devices and the public. Safe and accessible e-micromobility does not only promote livability, it also promotes workers' rights, racial justice, and economic mobility.
- **We propose amending T75.** We believe the provision in this bill that would no longer require street vendors to abut the curb is important for vendor safety. Two feet provides safety for operators while still leaving room for pedestrian flow. However, we have concerns about the provision that would allow vending in front of "obstructions." Although there are some specific rules within the City's Administrative Code regarding the proximity of vending in relation to some street infrastructure and furniture, the bill lacks a clear definition of what an "obstruction" is. We believe that the bill should be amended to provide such a definition that ensures access to street infrastructure (such as benches, bus stops, and parking meters) and provides clarity to vendors about where these new rules would apply. Without clear definition, we believe that the current conflict and frustration about lack of clear siting rules will perpetuate the ambiguity and lead to vendors being issued preventable tickets. We also believe that this definition should take into account the importance and value of pedestrian clearance. Often, areas with wide sidewalks are designed that way precisely because there are large numbers of pedestrians using that sidewalk. While this provides a strong commercial opportunity for vendors, we must also ensure clear pedestrian flow. On an already crowded sidewalk, allowing vending in front of obstructions could noticeably change the pedestrian experience for the worse.

- **We support T73.** It is vital that our city's bike lanes remain unblocked and accessible for the safety of our cyclists, and to prevent spillover by cyclists into the street or sidewalk.

Respectfully,
Open Plans

Sara Lind
Co-Executive Director
sara@openplans.org

Jackson Chabot
Director of Advocacy and Organizing
jacksonchabot@openplans.org

Michael Sutherland
Policy Analyst
michael@openplans.org



Testimony of the Partnership for New York City

New York City Council Committee on Consumer and Worker Protection

T2024-0067 - Creating licensing requirements for electric bicycle or scooter businesses
T2024-0075 - Permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction

January 31, 2024

Thank you, Chair Menin and members of the committee, for the opportunity to testify. The Partnership for New York City represents private sector employers of more than one million New Yorkers. We work together with government, labor, and the nonprofit sector to maintain the city's position as the preeminent global center of commerce, innovation, and economic opportunity.

Electric Bicycles and Scooters

The Partnership supports measures to increase safety related to vehicles powered by lithium-ion batteries including electric bicycles (e-bikes) and electric scooters (e-scooters). Fires caused by the lithium-ion batteries that power these vehicles have dramatically increased and have become a leading cause of fatal fires in the city. In 2023, there were 267 battery-related fires that caused 150 injuries and 18 fatalities.

The Council has taken significant legislative steps to address the causes of lithium-ion battery fires including placing restrictions on the sale of e-bikes, e-scooters, and batteries as well as creating education programs on battery safety. The Partnership supports T2024-0067, sponsored by Council Member Brewer, which would create a license for businesses that sell, rent, or maintain e-bikes and e-scooters, ensuring that these businesses maintain insurance and comply with relevant city laws.

The Partnership also supports legislative and enforcement efforts to improve safety on the streets. The rapid increase in these and other motorized vehicles has overwhelmed many areas of the city with fast moving vehicles that often ignore the safety of pedestrians and cyclists using non-electric bicycles. In 2022, 239 pedestrians were injured in crashes involving e-bikes and e-scooters, a 30% increase from 2021; e-bike riders made up 70% of the 26 cyclists who have died so far in 2023. This lawless conduct has become a major contributor to public safety concerns especially among older New Yorkers.

The Partnership applauds the efforts of the City Council and the Mayor to further regular these vehicles when they are used for commercial purposes. We urge the City Council to require delivery e-bikes and scooters to be licensed. This is essential to enable enforcement of speed limits and other rules of the road.

Street Vendors

The Partnership understands that street vending is a valuable part of the urban landscape and can be a first step on the entrepreneurial ladder for immigrants, veterans, and other New Yorkers. Yet street vendors also contribute to pedestrian and vehicular traffic congestion, emit smoke and odors, block access to brick-and-mortar businesses, and compete with small businesses that pay rent and real estate taxes.

The current system of street vending has not served anyone well. Businesses and residents have long suffered with a lack of appropriate enforcement of vending rules and vendors have had to contend with a robust black market for permits. The City Council has attempted to address these issues, most notably in 2021, but the status quo largely remains.

The legislation under discussion at today's hearing would do little to improve the situation. The Partnership opposes T2024-0067, sponsored by Council Member De La Rosa, which would remove the obligation for vendors to place their pushcarts directly next to the curb and instead require pushcarts to be placed within two feet of the curb or "as close as possible" to any obstruction near the curb. This bill would significantly expand the potential locations for vending without any regard for maintaining either pedestrian walkways or the function of "obstructions" such as fire hydrants, LinkNYC kiosks, or street furniture.

We urge the City Council to reject T2024-0067 as drafted and to focus on addressing the systemic issues that plague our current street vending ecosystem.

Thank you.

Randazzo's Seafood

2327 Arthur Avenue

Bronx, NY 10458

February 1, 2024

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Frank Rosa, co-owner of Randazzo's Seafood located on Arthur Avenue in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

Randazzo's Seafood and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

I am concerned that if vendors are permitted to vend within two feet from the curb or as close as possible to an obstruction, there will be too much clutter on sidewalks. As written, this bill has no regard for walk lanes or functionality of street furniture and infrastructure, and will surely impact the outdoor dining program, pedestrian safety, and ADA regulations, particularly in neighborhoods with narrow sidewalks, like exists here. Vendor set ups, and/or their personal vehicles, already take up essential parking spaces and sidewalk space in Belmont. Our commercial district engages with several million customers a year, over 80% of whom drive from between 10 and 40 miles away, and bring many millions of dollars in economic

activity to the neighborhood and for the city. Clear and easy access to the sidewalk and these blocked parking spaces is critical for our residents, visitors, customers, and our ability to conduct business.

I am concerned that permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction, and repealing misdemeanor criminal penalties for general and food vendors may lead to vendors openly flouting various laws to the public's detriment. I do not believe that these bills will benefit or enhance our city, and will only hurt countless small businesses and the community.

Thank you for your consideration.

Sincerely,

Frank Rosa

Frank Rosa

Randazzo's Seafood

Committee on Consumer and Worker Protection: Oversight Hearing on Street Vending

STATEMENT OF THE BROADWAY LEAGUE OPPOSING Intros 0074 and 0075

The League has been the principal trade association for the commercial Broadway theatre industry in New York State and across North America for over 90 years. Today we represent more than 700 theatre owners, producers and road presenters nationwide – with over 400 maintaining offices in New York City. We express our gratitude to Chair Velazquez and other distinguished members of the Committee on Consumer and Worker Protection for the opportunity to comment on the proposals under consideration. The League also thanks Council Member Bottcher for his continued support and leadership on issues affecting the businesses, residents and visitors to Times Square.

The Broadway League takes no position on Intros 1060 (prohibiting vending or vendor-related activity in bicycle lanes), 1062 (vendor display and storage of goods, etc.) or 1188 (requirement of food vendors to obtain a certificate of authority to collect sales tax). However, **we oppose Intros 0075 (related to permitting street vendors to vend within two feet from the curb) and 0074 (repealing the misdemeanor criminal penalties for general vendors and mobile food vendors)**. We believe these proposals would add to the congestion in midtown and heighten the significant enforcement challenges facing the City.

During the 2018-to-2019 theatre season, the last year for which we have complete economic data, the Broadway industry contributed a record \$14.7 billion to the economy of New York City and supported 96,900 jobs. This season (2022-to-2023), the industry garnered 12.3 million admissions, 16.8% shy of the record-breaking season pre-COVID. Approximately 35% of attendees were people from the New York City metropolitan area, 47.5% were theatregoers from the US but outside New York City and its suburbs, while 17% (or 2.1 million admissions) were visitors from other countries. 95% of attendees reported plans to see another Broadway show in the future. It is crucial to the future of New York that the theatergoing experience - from the moment a patron arrives in Times Square to his or her departure - is positive.

Times Square is the hub of the Broadway theater district and a major cultural venue in Midtown Manhattan. The pedestrian intersection has one of the highest annual attendance rates of any tourist attraction in the world, estimated at 60 million pedestrians annually. The designation of Broadway (between 42nd and 47th Streets) as an outdoor plaza has only increased vehicular and pedestrian traffic and attracted a greater number of street performers, costumed characters and vendors.

As noted, Times Square is already one of New York's most traffic-infused neighborhoods. Navigating midtown is a significant burden and an array of side-walk activity regularly drives pedestrians into the streets, diverting attention from storefronts and generates enormous amounts of trash. The area has also seen a recent proliferation of crime around recently opened marijuana stores, as well as an increase in loitering due to migrant housing in the community.

Allowing vending carts to sit two feet from the curb, using precious real estate, reduces available space for vehicles and pedestrians and contributes to overcrowding and disorder in the neighborhood. Further, City resources are already overtaxed. NYPD, FDNY and other agencies work tirelessly to enforce existing laws and ensure public safety. Eliminating all misdemeanor criminal penalties for general vendors and mobile food vendors sends the public message that the City does not take such offenses seriously and therefore invites flagrant violation of the law. For the above reasons, we wish to note that The Broadway League would also oppose any legislation that might increase or eliminate the cap on city-wide vending permits, unless any such newly issued permits were specific to locations outside of the Midtown Core.

Thank you again for this opportunity. On behalf of the Broadway theatre community, the League applauds the Council's ongoing dedication to addressing these concerns in a fair and balanced manner.



Paul Zuber
Executive Vice President

To the New York City Council Committee on Consumer and Worker Protection,

Please accept this testimony in connection with the Committee's hearing on T2024-0072 (Feliz) and T2024-0068 (Brewer), legislation that would address e-bike and battery safety. Battery fires remain a critical problem in New York City, and we commend this Committee and the Council for the actions it has taken so far. Setting safety standards, creating a trade-in program, and investing in education are key steps that will underpin a long-term solution.

However, we're very concerned that the same problematic proposals from last year have been re-introduced. Since the prior hearing in October 2023, only one thing has changed - the City's minimum pay standard for delivery workers has taken effect, which includes pay that directly compensates workers for the costs of e-bikes, batteries, and safety equipment. As a result of the minimum pay standard, our members and their customers are facing higher costs, and food delivery is becoming increasingly challenging and harder for them to afford. These new bills would require workers to be paid for these things twice. We're alarmed to see this Committee considering proposals that can only drive up costs further, and duplicate worker pay that is already being provided by businesses in food delivery.

We remain deeply troubled by the following aspects of these bills:

1. Both bills directly conflict with the City's minimum pay standard for food delivery workers. The pay standard has already been calculated to include \$2.26 extra per hour to fully reimburse workers for their expenses, including the cost of e-bikes, batteries, and safety gear. These costs aren't just being paid by food delivery platforms, they're being borne by everyone in food delivery, including restaurants and customers. The Council should not impose duplicative and overlapping requirements to provide this equipment.
2. T2024-0072 fails to address the many important barriers that are hampering the Council's efforts to upgrade the supply of e-bikes and batteries in NYC. There is no mechanism for recycling, it doesn't take into account other solutions the City is exploring (such as certified batteries), and it undermines the trade-in program legislation the Council just passed last year. It's also completely impractical given how food delivery workers actually work, with many being part-time workers and most using multiple apps to work. This is simply not an effective approach that is out of step with other initiatives the City is leading.
3. These policies could effectively shut down or dramatically reduce e-bike delivery through third-party platforms. If the use of e-bikes carries the tremendous cost of having to pay for bikes and safety gear twice, it's hard to imagine how they could continue to be used for delivery. This would be a massive problem given that the City itself estimates that 66% of deliveries occur by e-bike. It's unlikely that these deliveries could fully be replaced with cars and encouraging workers to shift their delivery mode to motor vehicles (or even worse, illegal mopeds) would be a step backwards for issues like congestion, climate, and safety. The City's streets are a shared resource, and businesses across the City – across all industries – depend on them to move the people and goods that keep this City running. Imposing new, heavy handed regulation on e-bikes will inevitably trade those e-bikes for cars and trucks, flooding the streets with more vehicles and threatening the flow of commerce. This will be hugely disruptive not just to restaurants and other businesses that use delivery, but all of the City's economy, and it will undermine other City objectives.

The City needs to create a plan that takes into account all of its existing laws and policies, and addresses missing links in today's system (like recycling). We can't pass more policies that hurt retailers and their customers, especially when mechanisms have already been put in place to ensure that the food delivery sector contributes financially to this problem. The City should be looking at new funding sources to support its programming - not placing even more burdens on restaurants.

We reiterate our firm support for efforts to stop battery fires, but these bills are not the right path. We encourage the Committee to re-think its approach in order to amplify the safety measures that are already in place and make sure they're successful.

Thank you for taking the time to consider our testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Zuber". The signature is fluid and cursive, with the first name "Paul" and last name "Zuber" clearly distinguishable.

Paul Zuber
Executive Vice President.

TESTIMONY BEFORE NYC COUNCIL
COMMITTEE ON CONSUMER AND WORKER PROTECTION
Street Vending Legislation
January 31, 2024

Good afternoon, my name is James Mettham, and I am testifying today on behalf of the Flatiron NoMad Partnership, a Business Improvement District (BID) located around Madison Square Park in the Midtown South section of Manhattan. As a member of the NYC BID Association, we have been at the forefront of conversations around street vending policy for years, as nothing is more important than maintaining public safety and economic vibrancy in the neighborhoods we serve. Like many BIDs and commercial corridors across New York City, we have struggled with vendor operations at certain locations that interfere with pedestrian safety, organized sidewalk/curb use, and the operations of storefront businesses. While we continue to welcome commonsense changes to laws that will make it easier for street vendors to make a living (like T70, T71, T73, T69, and T60), these modifications need to be made in conjunction with the enforcement of existing rules, siting criteria and other regulations meant to ensure things like clear path for pedestrians and distance from storefront businesses.

The Flatiron NoMad Partnership has significant concerns about T75, which will allow vendors to operate in front of “obstructions” that may include bike racks, planters, bollards, other street furniture, and fire hydrants until further defined. This will create a significant impact without consideration of clear path requirements, sidewalk clutter, and the usability of street furniture would be problematic. Busy Flatiron & Nomad commercial corridors like 5th Avenue at 23rd Street across from the Flatiron Building at Eataly & Lego, the west side of 6th Avenue between West 22nd Street and 24th Street, and West 25th Street between 6th Avenue and Broadway on Chelsea Flea weekends are already inundated with street vending that impedes safe pedestrian passage. This legislation will compound the real and perceived feelings of chaos from visitors, residents, shoppers, and workers alike on our bustling streets and sidewalks.

Rules allow for vending carts to be up to five feet wide, not including space for the vendor or consumers to stand. It is reasonable to imagine a situation where a vending operation takes up 5 to 7 feet or more within the clear path lane, leaving less than 5-7 feet for pedestrians to walk. Even the temporary open dining program which was successfully managed across Flatiron & NoMad over the past 4-years mandated an 8-foot-wide minimum clear path between outdoor seating to maintain a pedestrian walkway. We are genuinely concerned that this legislation will have a dramatic impact on pedestrians, and especially individuals with disabilities or strollers.

While we generally support the de-criminalization of street vending in T74, we do want to ensure that agencies have the appropriate tools to enforce siting, health, and other critical regulations when rules/laws are disregarded.

The Flatiron NoMad Partnership implores the City Council’s Committee on Consumer and Worker Protections to conduct necessary key stakeholder engagement and deploy area-specific impact studies before any action is taken on T75 and T74. We look forward to continuing our work with the Council and administration on vending policy. Thank you.

MEATPACKING DISTRICT

32 Gansevoort St. 5th Floor
New York, NY 10014
212-633-0185

@MeatpackingNY
hello@meatpacking-district.com
meatpacking-district.com

Testimony to the Committee On Consumer And Worker Protection Street Vending Legislation January 31, 2024

Thank you to the City Council's Committee on Consumer and Worker Protection, and to Chair Menin, for giving us the opportunity to submit testimony.

The Meatpacking District Management Association (MDMA) is the business improvement district (BID) for the Meatpacking District on the far west side of Manhattan. It represents and serves over 250+ ground floor businesses, 27,000 jobs, and nearly 8,000 residents. The BID also manages 30,000 square feet of plaza space and works to ensure over five miles of public sidewalk are kept clean, accessible, safe, and free of obstructions for all who make their way around the district. A major focus of MDMA's work is stewardship of the public realm, and critical to its ability to provide these services is a well-organized and orderly sidewalk.

The MDMA recognizes street vending is part of New York City's vibrancy, but the patchwork of laws and poor enforcement have created a very complex and often misunderstood set of regulations. T75 adds another layer of confusion to vending laws, reducing established clear paths on busy sidewalks and creating even more obstacles by allowing vendors to further encroach on limited sidewalk space.

Most concerning is the provision that will allow vendors to locate in front of undefined "obstructions" on the sidewalk. Under this ambiguous legislation, obstructions could include the range of public amenities that the Meatpacking BID, along with our colleagues across New York City, have installed to support flourishing and successful commercial corridors, including bike racks, landscaping, seating, art, and other street assets.

Siting, installation, and maintenance of these "obstructions" requires significant effort by BID staff. It also requires rigorous technical review by City agencies to ensure they are in suitable locations, do not obstruct pedestrian movement, encroach on critical infrastructure like fire hydrants, and provide sufficient clear paths in the case of emergencies. Allowing vendors to locate in front of streetscape elements would render them inaccessible to public use, and lead to damage and misuse. These are all issues we see at hydrants, curb cuts, tree pits, and planters across the District where vendors regularly set up on and in front of these elements.

The sidewalk is a highly limited resource, yet also the most crowded space in the city. Vendors already feel emboldened to ignore rules, misuse public amenities, and interfere with operations. This legislation, as proposed, only legitimizes the behavior of bad actors, and further limits our ability to be stewards of the public realm. The BID welcomes common sense changes to vending laws, but rules must work for all sidewalk users.

February 02, 2024

Please accept this testimony in connection with the Committee's hearing on T2024-0072 (Feliz) and T2024-0068 (Brewer), legislation that would address e-bike and battery safety. Battery fires remain a critical problem in New York City, and we commend this Committee and the Council for the actions it has taken so far. Setting safety standards, creating a trade-in program, and investing in education are key steps that will underpin a long-term solution.

However, we're very concerned that the same problematic proposals from last year have been re-introduced. Since the prior hearing in October 2023, only one thing has changed - the City's minimum pay standard for delivery workers has taken effect, which includes pay that directly compensates workers for the costs of e-bikes, batteries, and safety equipment. As a result of the minimum pay standard, our members and their customers are facing higher costs, and food delivery is becoming increasingly challenging and harder for them to afford. These new bills would require workers to be paid for these things twice. We're alarmed to see this Committee considering proposals that can only drive up costs further, and duplicate worker pay that is already being provided from businesses in food delivery.

We remain deeply troubled by the following aspects of these bills:

1. Both bills directly conflict with the City's minimum pay standard for food delivery workers. The pay standard has already been calculated to include \$2.26 extra per hour to fully reimburse workers for their expenses, including the cost of e-bikes, batteries, and safety gear. These costs aren't just being paid by food delivery platforms, they're being borne by everyone in food delivery, including restaurants and customers. The Council should not impose duplicative and overlapping requirements to provide this equipment.
2. T2024-0072 fails to address the many important barriers that are hampering the Council's efforts to upgrade the supply of e-bikes and batteries in NYC. There is no mechanism for recycling, it doesn't take into account other solutions the City is exploring (such as certified batteries), and it undermines the trade-in program legislation the Council just passed last year. It's also completely impractical given how food delivery workers actually work, with many being part-time workers and most using multiple apps to work. This is simply not an effective approach that is out of step with other initiatives the City is leading.

3. These policies could effectively shut down or dramatically reduce e-bike delivery through third-party platforms. If the use of e-bikes carries the tremendous cost of having to pay for bikes and safety gear twice, it's hard to imagine how they could continue to be used for delivery. This would be a massive problem given that the City itself estimates that 66% of deliveries occur by e-bike. It's unlikely that these deliveries could fully be replaced with cars, and encouraging workers to shift their delivery mode to motor vehicles (or even worse, illegal mopeds) would be a step backwards for issues like congestion, climate, and safety. The City's streets are a shared resource, and businesses across the City – across all industries – depend on them to move the people and goods that keep this City running. Imposing new, heavy-handed regulation on e-bikes will inevitably trade those e-bikes for cars and trucks, flooding the streets with more vehicles and threatening the flow of commerce. This will be hugely disruptive not just to restaurants and other businesses that use delivery, but all of the City's economy, and it will undermine other City objectives.

The City needs to create a plan that takes into account all of its existing laws and policies, and addresses missing links in today's system (like recycling). We can't pass more policies that hurt retailers and their customers, especially when mechanisms have already been put in place to ensure that the food delivery sector contributes financially to this problem. The City should be looking at new funding sources to support its programming - not placing even more burdens on restaurants.

We reiterate our firm support for efforts to stop battery fires, but these bills are not the right path. We encourage the Committee to re-think its approach in order to amplify the safety measures that are already in place and make sure they're successful.

Cindy Estrada
Cindy Estrada
Executive Director
The New York City Hispanic
Chamber of Commerce
Cell: 646-225-0259



Committee on Consumer and Worker Protection
Wednesday, January 31, 2024

Good Morning, Chairperson Menin and the members of the Committee on Consumer and Worker Protection. My name is Tom Harris, and I am the President of the Times Square Alliance, the business improvement district that exists to make Times Square clean, safe, and desirable for all.

TIMES
SQUARE
ALLIANCE

Vending is part of the fabric of NYC. We welcome legal, rule abiding vendors who enrich our neighborhood experience. We have a Times Square street vendor on our board of directors and entered into a partnership with another vendor to operate a kiosk in our pedestrian plazas.

That said, the street vending system in NYC is broken. The laws are unclear, and insufficient, sporadic enforcement provides opportunities for bad actors to thrive at the expense of hard-working vendors who play by the rules. To keep street vending a welcome, viable part of our public realm, we need to act not out of ideology, but rather focus on clarifying and simplifying existing regulations and on prioritizing compliance so enforcement is not necessary. Just adding another layer of complex, difficult to enforce rules helps no one.

Intro. T2024-0075 that allows vendors to operate two feet from the curb is misguided. The real measurement should be the clear pathway that pedestrians have to walk on our sidewalks. Intro. T2024-0075 fails to consider that vendor carts come in different sizes and widths, and two feet may be acceptable for one cart but not another. I would urge the council to revisit this bill and instead of focusing on distance from curb that they focus on only allowing vending where eight feet of clear space is available for pedestrians.

Tom Harris
President
Times Square Alliance

Prepared Remarks for Hayley Prim, Senior Policy Manager at Uber:

Good afternoon Council members and thank you for the opportunity to comment. I am focusing my testimony today on Preconsidered Introductions 72 and 68. Uber last testified before this Committee on these same bills in October 2023 and all of the concerns we raised then still stand.

However, in the last three months, we have seen major changes for delivery workers, positive progress in our own Partnerships, and announcements from this administration that all should impact how we think about the issues related to expenses and worker safety moving forward.

On December 4 a guaranteed minimum wage which was established by the City's Department of Consumer and Worker Protection went into effect for all workers who deliver on third party delivery platforms. While we have significant concerns with the way the DCWP chose to structure the wage rule because it reduces workers' flexibility and ability to access the app as they choose, the standard promulgated by DCWP does include an expense allocation for the very items that these bills are designed to cover.

This is not inferred, but explicit in the study released by the DCWP in November 2022 which is the basis of the rule, and enumerated in the final rule itself which was published in June 2023. Commissioner Mayuga even touted this as the opening line of an op-ed she authored in July 2023 celebrating the new standard, which read, "The city's [new](#) minimum pay rate for app-based restaurant delivery workers will lift thousands of working New Yorkers and their families out of poverty, and help them to afford safer equipment and cover medical expenses." Based on data from December 4 - January 21, we have calculated that over 1,500 delivery workers have already earned more than \$500 towards their expenses (and this number only takes into account their earnings on Uber Eats).

In January we've seen more positive progress through the partnerships we launched last year with Zoomo and Equitable Commute Project. Since launching, these programs have been successful in getting hundreds of individuals on UL certified bikes. Zoomo received a new shipment of bikes this month, which means that dozens if not hundreds of individuals currently on their waiting list will have the opportunity to rent these new UL certified bikes in the coming weeks and also this month, Equitable Commute Project launched a new UL certified model, a Fly 11 Pro. We've heard that workers are excited about the Fly 11 Pro because it's almost identical to the same Arrow model e-bike that they have already been using. Through our partnership with ECP, workers can trade in their old e-bike and get this model with one battery for \$800, a more than 60% reduction from the retail price of \$2,100. ECP has already seen a

double digit increase in conversions from workers who sign up to trade in their bikes since this new model was announced.

And last week Mayor Adams announced that the City is creating a new Department of Sustainable Delivery which will be in charge of micro-mobility citywide. In the announcement he described this department's mandate as prioritizing safety, and said that it would establish consolidated and comprehensive regulations for all micromobility delivery in New York City. While further details have not been released, an agency that streamlines and universally applies regulations makes sense so not just third-party delivery apps but all companies, restaurants, grocery store delivery, and other businesses that utilize micro mobility devices will operate under the same standards.

We encourage the Council to table these bills and work to figure out how to expand these programs which are already working. Prioritize this new agency which could create an equal playing field for all delivery workers and delivery businesses instead of targeting some and making others seem invisible. Over the past three years the Council has passed more than a dozen bills all focused on regulating third party delivery workers and third party delivery services, but have done nothing for those who deliver groceries on app or workers employed by restaurants to perform deliveries. How come restaurant delivery workers, who are subject to a tipped minimum wage, are also expected to pay for all of their expenses with no support from those who employ them? Why does a worker delivering groceries from Key Food on the UberEats app have a totally different set of standards than if that exact same worker logged into the Instacart app?

**BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON CONSUMER AND WORKER PROTECTION**

COMMENTS OF UBER TECHNOLOGIES, INC.

January 31, 2024

Hayley Prim
175 Greenwich St.
New York, NY 10001

Dear Members of the New York City Council,

On January 31, 2024 the Consumer and Worker Protection Committee is scheduled to hear several bills, including T2024-0072 (Feliz) and T2024-0068 (Brewer). These are both bill reintroductions from last year and continue to raise significant concerns for us. At the previous hearing in October 2023, we submitted extensive testimony through our oral and written remarks and we incorporate those prior comments as it relates to these bills, which were then identified as Intros 1168 and 1163. Those present at the hearing in October, including third-party delivery workers, advocates and other Council Members agreed that the Feliz bill especially was unworkable and we would need to work together to come up with a different solution. We were surprised to see both bills reintroduced this session with *no changes* reflected based on the input and feedback that was provided in the last public hearing. Since October, we have seen significant changes in the third-party delivery industry, and other news, which only increases our concerns with these two bills.

Implementation of Earnings Standard for Third-Party Delivery Workers

On December 4, 2023, the earnings standard for third-party delivery workers went into effect, guaranteeing all workers a new minimum wage established by the Department of Consumer and Worker Protection (DCWP). Included in this wage, is an expense allocation at \$2.26 per each utilized hour toward the cost of expenses including e-bikes, batteries, helmets, and more. (*Final rule, and in detail on Page 18 of DCWP's study*). While we have concerns with the way the DCWP chose to structure the wage rule because it reduces workers' flexibility and ability to access the app as they choose, the standard promulgated by DCWP already includes an expense allocation for the very items that these bills are designed to cover. Both of these bills would require third-party delivery services to provide equipment including UL certified bikes, batteries, and helmets and more to workers who contract through their specific apps. In New York City, there are more than [two dozen](#) licensed third-party delivery and third-party courier services, and more than 65,000 workers. While looking at just the four major delivery services, the DCWP's [study](#) released in November 2022 notes that more than 56% of workers hold at least more than one account with a delivery app. As written, both of these bills would not only duplicate local law 115, it would result in a significant duplication of equipment given to workers as multiple companies would be required to give the same equipment to just one worker. With the earnings rule, workers can earn on the platforms of multiple companies, generating income to procure the e-bikes, batteries and any other accessories on their own. Based on data from the last seven weeks, we have calculated that over 1,500 delivery workers have already earned more than \$500 towards their expenses (and this number only takes into account their earnings on Uber Eats). It's abundantly clear that the DCWP intended workers to purchase their own equipment once this wage was implemented. DCWP Commissioner Mayuga explicitly stated in a July 2023 [Op-ed](#) to the New York Daily News in *the very first line* that,

“The city’s new minimum pay rate for app-based restaurant delivery workers will lift thousands of working New Yorkers and their families out of poverty, and help them to afford safer equipment and cover medical expenses.”

Department of Sustainable Delivery Announcement

On January 24, 2024, Mayor Eric Adams announced that the City is creating a new Department of Sustainable Delivery which will be in charge of micro-mobility citywide. In the announcement he described this department’s mandate as prioritizing safety, and said that it would establish consolidated and comprehensive regulations for all micromobility delivery in New York City. While further details have not been released, an agency that streamlines and universally applies regulations makes sense so not just third-party delivery apps but all companies, restaurants, grocery store delivery, and other businesses that utilize micro mobility devices will operate under the same standards.

Creating an agency such as this one would also tackle some of the goals of the bills outlined above, but would do so in a way that is fair and equitable across all industries. We know that app-based workers in New York City choose to do different types of work and through different companies, and this bill would make sure all of those companies are operating on an even playing field and eliminate confusion, duplication, or even contradiction that will exist if these regulations are passed one-by-one instead of in a comprehensive way.

An agency such as this could also adequately address another issue that we raised in October 2023. There is currently no way to ensure that workers are using UL certified equipment when making deliveries. Unlike four-wheeled vehicles, there are no license, registration, or insurance requirements for e-bikes. Additionally, there is no clear way to demonstrate an e-bike and battery is UL certified, based on § 20-610. If the City Council requires companies to verify that bikes are UL certified, the City must first create a licensing regime for workers, and the vehicles they operate – similar to how the TLC regulates all pieces of the for-hire industry. Deputy Mayor Joshi who leads Operations for the Mayor and was the TLC Commissioner when Uber launched in New York City, has a thorough understanding of how to create a comprehensive agency to regulate practices of different business models that operate within the same industry. In the case of the TLC, yellow taxis have been around as a for-hire service in New York since the 1930s, and Uber, Lyft and other app companies which offer a similar service launched just over a decade ago. A similar analogy can be seen here by looking at restaurants which have been around and providing delivery to New Yorkers for decades and delivery app companies that have all launched in the past 15 years and provide a similar service to consumers. We were encouraged by the news that Deputy Mayor Joshi has taken the lead from the administration in discussing how such an agency would operate. We urge the City Council and the Administration to push forward with a centralized process that creates regulations for workers and the equipment they use so that companies who contract with these independent workers have a way to verify information is accurate. Without the City being the owner of such a centralized process, companies have no way to confirm equipment is adequate and meets the City’s standards, and it significantly reduces the risk of fraud.

Creating Access to affordable UL certified e-bikes and batteries

In October, we provided detailed background into our programs with Zoomo and Equitable Commute Project (ECP)- two partnerships that allow couriers multiple options for accessing UL certified bikes, through trade-in programs, and discounted rentals. Both of these programs have seen a significant uptick over the last several months. The partnership with Zoomo has already helped hundreds of workers access UL certified bikes rentals since it launched last year and this month, Zoomo received a new shipment of hundreds of more bikes. It is reasonable to expect to see these bikes in use by workers soon, as there has been a long waitlist since the partnership launched. ECP has

also grown since its launch last year, and has seen increased interest from workers very recently, as they added a brand new model e-bike to their list of trade-in options. Workers can now trade in an old bike for a brand new Fly 11 Pro with one battery for \$800, a significant reduction from the retail price of \$2,100. We've heard that workers are excited about this model because it's almost identical to the same Arrow model e-bike that they have already been using. The steep discount we've been able to offer workers through this partnership with ECP means that some of these UL certified bikes [cost less than 50%](#) of what the City allocated in the expense calculation contained in the DCWP's earnings standard study – making these options not only safer, but also easily within reach with the implementation of the wage.

Because of these two programs, hundreds of workers have been able to rent or trade in for a UL certified bike. With additional support from the City, these programs could reach even more workers. We encourage leadership at the City to centralize its resources toward programs like these that are already up and running, and are reaching the workers where they are—rather than imposing onerous and duplicative new regulations. We are invested in the success of these programs and that's why we launched them last year without any rules or requirements to do so. If the City adds its own resources to support these programs it would positively impact and help these and other similar programs grow at scale so that all workers may be able to access UL certified equipment.

Uber's Commitment to Safety

Uber continues to push for safety improvements that impact all sides of our platform, and it has been publicly supportive of efforts to require UL certified equipment. Building safety into our platform is a top priority, and we are continuously working to make safety improvements to benefit drivers, riders, couriers, restaurants, and consumers. It's crucial to look at the landscape of New York City as a whole - including third-party delivery workers and the methods of transportation they use, restaurants and restaurant delivery workers, retailers and manufacturers of e-bikes and batteries, enforcement agents in the City, and others. We encourage the Council to explore approaches to these issues that would tackle them as a whole, and include others in the industry who don't currently operate under the same regulations. This means holding restaurants, 40% of which facilitate deliveries with their own workers, and Grocery Delivery Services to a higher standard than they are presently held, which allows their workers to benefit from an expense allocation as well. It also means looping in manufacturers so that any new equipment meets the City's standards and retailers so that unsafe equipment is no longer able to be purchased. Uber has consistently reached out to the City to provide feedback and recommendations and has proactively stood up programs to support safety. We look forward to continuing to be a thought leader in these conversations.



**NYC City Council Committee on Consumer and Worker Protection
January 30, 2024**

**Testimony of Carina Kaufman-Gutierrez
Deputy Director, Street Vendor Project at the Urban Justice Center**

Good afternoon Chair Menin and council members. My name is Carina Kaufman-Gutierrez and I am the deputy director of the Street Vendor Project at the Urban Justice Center. The Street Vendor Project (SVP) is a membership-based organization of over 2,900 street vendors who work in public space, activating our city's streets and sidewalks.

Many of the bills being discussed today will start to correct the double-standard that has long existed in regards to the regulation of street vendors compared with other small businesses with the passage of pre considered legislation on curbside requirements and reducing criminal liability for both food and merchandise vendors with urgency, as part of the Street Vendor Reform legislative package. I also support the passage of pre-conceived legislation introduced by Chair Menin - T0069, T0073, and T0070.

Siting rules and regulations for licensed and permitted vendors are highly regulated, noting the time, place and manner in which vendors must operate. T0075 introduced by Council Member De La Rosa continues this tradition while addressing both critical safety issues that put the well-being of hardworking vendors at risk, while ensuring our city's smallest businesses have less risk of displacement.

It has been the case for decades that street vendors may only operate on a sidewalk that is 12 feet or wider, in order to maintain a clear pedestrian pathway. Less than 20% of the public sidewalks are 12 feet wide or wider, and that makes 80% of the sidewalks in NYC off limits for vending.¹

¹ *Sidewalk width NYC*. Sidewalk Widths NYC. (n.d.). <https://www.sidewalkwidths.nyc/#13/40.71618/-73.98765>

Food carts must be no larger than 10 ft by 5 ft, and merchandise vendors with tables of 8 feet by 3 feet - this will not change.

Right now, vendors must set up less than 1.5 feet from the curb, placing them very close to speeding cars. One wrong step, and a vendor can fall into the sidewalk, or get hit by a bike. What this bill would do is allow vendors' carts or tables to be set up no more than 2 feet from the curb - a difference of 6 inches. It's a very small amount - but it can be lifesaving.

Additionally, this bill addresses the rights of our small businesses while preserving pedestrian accessibility. On many sidewalks that are larger than 12 feet, there are obstructions like bollards, planters, or bike racks that are set up along the curb, that render a legal vending spot illegal, because the vendor is not able to remain less than 1.5 feet from the curb. With this legislation, as long as a 12 foot sidewalk between the obstruction and the building face is maintained, vendors would be able to set up in front of the obstruction, continuing to serve the area and maintaining standard vending rules.

In areas like Times Square where 'obstructions' like bollards are rightfully placed for public safety, the vendors who are part of the fabric of the neighborhood and tourist experience often set up in front of them, maintaining clear pedestrian access - yet they receive fines for being more than 1.5 feet from the curb. The vendors want to be in compliance, but are physically prevented from doing so by the bollard.

On the flip side, unfortunately there are examples where placing obstructions has been used as a tactic of displacement, like in Hudson Yards where the local Business Improvement District and Related Companies have worked hand in hand for years to try to remove the vendors, placing planters, enlarging tree pits - to transform legal vending locations to illegal ones overnight.²

Should this bill pass, vendors in both situations, as long as a 12 foot sidewalk distance between the obstruction and the building face is maintained, would be able to set up in front of the obstruction, continuing to serve the area and maintaining standard vending rules. What will remain a violation, is if there's less than a 12 foot sidewalk between the obstruction and building face - vending will continue to not be allowed, no matter how small the set up. This bill is important common sense legislation, it's not upending our city's streets as some today will claim, it simply maintains the status quo, with slight improvements to allow for safety and business thriveability.

T0070 would repeal the requirement that vendors produce their records of daily sales, purchases, and expenses. Other businesses are not subject to such a requirement and there is no reason that vendors should either. Also repeals confusing language about general vendor stands and clarifies that general vendors can use umbrellas to protect themselves from the sun and rain. This recognizes the realities of working outside throughout the year. Finally, it amends 17-315(c) of the NYC

² Ricciulli, V. (2021, March 23). *Hudson Yards has landscaped out the food vendors*. Curbed. <https://www.curbed.com/2021/03/hudson-yards-street-vendors-related-companies.html>

Administrative Code to allow vendors to store items “on” (in addition to inside and under) their carts. The original intent of this law was to ensure that vendors do not occupy excessive sidewalk space and this bill will ensure that.

T0069, which we also strongly support, requires only vendors who apply for a Permit or Supervisory License obtain a Sales Tax Certificate of Authority and Tax Clearance Certificate. Currently, there are many vendors who get a mobile food vending license, not to own their own business, but to work for or with someone else on a food cart or truck. These vendors are not business owners, but rather workers who have nothing to do with sales tax payments for the business. However, they are still required to obtain a sales tax certificate as a business owner. These vendors currently have to report their sales tax every three months (by putting \$0) and can be subject to fines and penalties if they forget or are late.

T0069 also needs to amend NYC Administrative Code 17-310 to also ensure that only vendors who renew a permit or Supervisory License (that is, business owners), are required to provide a Sales Tax Clearance before renewal. Finally, It should be noted that even restaurant owners are not required to show a sales tax clearance prior to renewing their Health Department food permit. Vendors, for some reason, are, but this bill can go a long way in reducing the burden for many vendors who don't own the actual business.

SVP supports the intent of T0073 in that vendors should not be obstructing bike lanes. In fact, DOT already has a rule, 34 RCNY 4-08(e)(9) which prohibits vehicles from obstructing bike lanes. Since this law already would apply to a food truck, we are concerned that vendors could be fined twice for the same activity. This already happens with other vending laws. For example, unlicensed food vending is prohibited by the Administrative Code and the Health Code. The Health Department frequently writes unlicensed vendors two separate tickets, each for \$1000 and each for the same reason. This is simply unfair. This legislation should ensure that vendors are not fined twice for the same thing at the same time.



Good afternoon. My name is Mohamed Attia, I'm the managing director of the Street Vendor Project at the Urban Justice Center.

I would like to thank Chair Menin and the Committee for the opportunity to testify today.

The street vendor project, SVP, is a member-led organization with 3,000 street vendor members. We organize with the vendor community; we advocate for a fair and just system for them and we provide essential services that the community desperately needs.

For centuries street vending has been a platform for thousands of New Yorkers, immigrants, people of color, military veterans and entrepreneurs who are seeking a chance for upward economic mobility for themselves and their families.

However, for decades they've been dealing with an unfair system, unjust laws, and arbitrary rules.

The bills before you today are essential to move us forward towards a fair system, where vendors are not treated as criminals, and to a place where they're not fined for minor nonsense impossible-to-follow rules.

The bills before you today are essential to move us forward towards a fair vending system.

Although the bills being discussed today are important and helpful to street vendors, the most essential part is left out of the conversation today, which is the lack of license and permits.

We encourage the council to hold a hearing on CM Sanchez & Farias bill that will gradually increase the number of permits and licenses as soon as possible.

I want to express my support to all the street vending related bills that are being heard today as per-considered and will expand on one of the bills that's related to vending on bridges.

We support the intent of T2024 - 71, to regulate vending on City bridges. As you know the DOT recently ruled a ban on vending on bridges which has completely destroyed the livelihoods of vendors who have been selling food and merchandise to residents and tourists on the Brooklyn Bridge.

For decades, street vendors have worked on Brooklyn Bridge promenade, providing snacks, drinks, and products for tourists, while making a living.

Many of whom are military veterans, immigrants, and newly arrived asylum seekers.

We acknowledge that more rules and enforcement may be needed to ensure that pedestrians have safe passage and vendors can continue to exist.

However, we have some concerns with how the bill is currently drafted.

15 Laurel Avenue
Mount Vernon, NY 10552
January 31, 2024

Members of the City Council
City of New York

I am writing to you regarding the proposed changes in the street vending laws. I own seven commercial properties in the Bronx and visit them at least twice a week. The acceptance of street vendors was probably necessary in 2020 when jobless people had no other way to support their families. This is not the case today. In fact, every effort should be made to discourage this practice at this time. These people are not paying rent and are selling the same goods that are available in the adjacent stores. The success of these stores is essential if our tax base is to be sustained.

The sidewalks are supposed to be for pedestrians to move about in a safe manner. I was on Jerome Avenue and Burnside Avenue yesterday. I felt like I was visiting a developing country. The sidewalks were obstacle courses. In addition to vending; bikes were being ridden, vehicles were being washed and repaired and illegal dumping was prevalent.

My question is: Why exactly are we further encouraging the sale of merchandise on the sidewalks? This is valuable real estate and no compensation will be received. The licensing of designated spaces for vending with the fee determined by bidding should be tried. Some of the revenue could be used for enforcement. Decriminalizing vending is definitely not the answer as the lawbreakers cannot be forced to pay the fines. Charging a fee for vending will significantly reduce the number of vendors. We will soon have thousands of additional people from the migrant community engaged in vending on our sidewalks.



Borgatti's Ravioli and Egg Noodles

632 East 187th St

Bronx, NY 10458

January 31, 2024

Dear City Council and Council Committee on Consumer and Worker Protection,

I am Christopher Borgatti, the President of Borgatti's Ravioli and Egg Noodles located on E 187th St in the Bronx's Little Italy, an authentic and unique community that has persevered and thrived for over a century. As a representative of a small business, I am writing to strongly oppose bills T2024-0075 and T2024-0074 that the Council Committee on Consumer and Worker Protection is reviewing. The bills are very problematic for the public at large and small businesses as they would dramatically impact the streetscape and the pedestrian experience, and raises concern for whether current civil penalties are adequate deterrence to vendors who flout various rules/laws.

Borgatti's and our neighboring small businesses make up the fabric of this community, hire a local workforce, and contribute significant taxes and revenue to the city. Over the years, it has become increasingly challenging and expensive to own and operate a small business. We are heavily regulated, inspected frequently, and have tremendous overhead costs. Repealing misdemeanor criminal penalties for general and food vendors who already aren't subjected to the same overhead costs or health and safety regulations as brick-and-mortar businesses will create an uneven playing field for small businesses, and poses a threat to the health and safety of the general public. I question if only the risk of civil penalties would be enough to prevent vendors from violating vending rules.

I am concerned that if vendors are permitted to vend within two feet from the curb or as close as possible to an obstruction, there will be too much clutter on sidewalks. As written, this bill has no regard for walk lanes or functionality of street furniture and infrastructure, and will surely impact the outdoor dining program, pedestrian safety, and ADA regulations, particularly in neighborhoods with narrow

sidewalks, like exists here. Vendor set ups, and/or their personal vehicles, already take up essential parking spaces and sidewalk space in Belmont. Our commercial district engages with several million customers a year, over 80% of whom drive from between 10 and 40 miles away, and bring many millions of dollars in economic activity to the neighborhood and for the city. Clear and easy access to the sidewalk and these blocked parking spaces is critical for our residents, visitors, customers, and our ability to conduct business.

I am concerned that permitting street vendors to vend within two feet from the curb or as close as possible to an obstruction, and repealing misdemeanor criminal penalties for general and food vendors may lead to vendors openly flouting various laws to the public's detriment. I do not believe that these bills will benefit or enhance our city, and will only hurt countless small businesses and the community.

Thank you for your consideration.

Sincerely,

CHRISTOPHER BORGATTI

President

BORGATTI'S Ravioli

31 January 2024

Dear NYC Council,

There is a package of bills, including T2024-0075, being introduced to the council that are favorable to vendors, but may prove detrimental to the quality of life of residents in the city. Specifically, I am expressing concern for DUMBO. When the city banned vendors from selling on the Brooklyn Bridge we saw an immediate influx of sidewalk vendors across from Clumber Corner park between Prospect and Washington Streets.

It became unruly, with vendors (permitted or not) hawking their wares to tourists who were crowding the sidewalk. This is a main entrance point for residents and workers to enter the neighborhood. Many have strollers and dogs and need a clear pathway home and to work. On top of this, vendors park their vans overnight, limiting parking for residents.

That was just one street - with our dense population, and a lack of oversight/cap on the number of vendors allowed, a scene like this could easily permeate throughout the neighborhood.

We are already experiencing worrisome issues with health, safety, traffic, congestion, construction, etc. This is going to exacerbate issues which we are already actively trying to work with the city to alleviate.

Please consider our everyday life - we are already exhausted.

Thank you,
Elisa Thomas

[REDACTED]
Jackson Heights, NY 11372
Feb. 2, 2024

I'm writing to oppose proposed laws T2024-0075, T2024-0074, T2024-0070.

City streets and sidewalks are a matter of delicate balance. They are primarily for pedestrian travel, but they also provide access to businesses, offices, and housing. Other beneficial uses, such as street trees, bikes racks, NYC benches on commercial streets are also important. Even occasional vendors have a place.

However, what we are seeing on the streets of Jackson Heights and in some other neighborhoods is something very different. In these neighborhoods, there is nearly no enforcement of regulations concerning vendors—especially those selling merchandise and produce. And so, they set up in these neighborhoods in overwhelming numbers .

Why does this matter? This concentration of merchandise is making our commercial-street sidewalks impassable (especially for those in wheelchairs or pushing baby carriages). They leave behind trash and equipment chained to trees and city fixtures.

And they unfairly compete with brick-and-mortar stores that pay taxes that support city services. It's reversing decades of progress by local officials and nonprofit organizations to improve our business district and help our local stores. What's more, it's clear that many of these merchants come from outside Jackson Heights, Queens, and even NYC.

To be clear, I'm not opposed to the presence of some street vendors, especially those selling prepared food, who provide an important service and have a following.

I'm sorry to say these bills do nothing to reduce this problem and would only swamp our sidewalks with more vending.

Thank you.

Len Maniace

[REDACTED]
Jackson Heights, NY 11372
lenmaniace@gmail.com

January 30, 2024

New York City Council
250 Broadway
New York, NY 10007

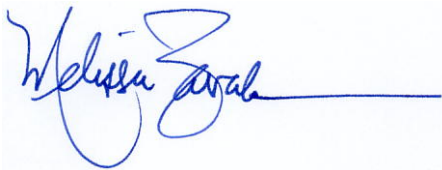
Dear City Council Members and fellow New Yorkers,

The two bills set to promote street vending are an affront to us all. Streets are clogged more than ever, exacerbating traffic—just as workers are being forced back into the office and therefore in need of smoother traffic flows everyday—increasing litter, promoting the dumping of business trash in city baskets, and generating conditions ripe for exploitation and lawlessness. Vendors more aggressively peddle their wares and do so anywhere and everywhere, selling merchandise from unknown sources, pushing out smaller competitors with impunity. Without licenses, anything and everything can be sold on our streets, without concern over quality or legal implications.

Our city streets are narrow, built to keep a steady stream of traffic flowing. Now, there is but a sliver of space between rent-paying businesses closing all the time as rents skyrocket, across from vendors coming from unknown locations to impose a loss of public space, privatized by their goods, as they pay no costs either for brick-and-mortar space or for trash pick-up, which the rest of us subsidize for them. These two bills will continue to destabilize our neighborhoods by making them prone to more and more vending and the type of irresponsible behaviours that damage our trees, compact our tree garden soils, make our streets look like dumping grounds, create crowding, and are an overall nuisance. Why not present a thoughtful piece of legislation proposing that storefront rents be regulated, one that offers empty locales to vendors who can share space, and in this way set up small business that can route vendors onto an entrepreneurial track rather than opening up yet another Pandora's Box much as we have seen be the case with smoke shops, brothels, and casinos?

Stop these legislations and come up with something that is useful for vendors and spares the rest of us a complete assault on public space.

Sincerely,

A handwritten signature in blue ink, appearing to read "Melissa Zavala", followed by a long horizontal line.

Melissa Zavala, PhD

Jackson Heights Resident

January 31, 2024

Honorable Members of the New York City Council,

I stand before you not only as a disabled Veteran but as a member of the vibrant street vendor community of this great city. Today, I wish to express my support for the slate of bills being considered, particularly those affecting vending in New York City.

Firstly, the bill concerning vending on bridges, specifically the prohibition of vending on bridge approaches and the regulation on bridges with pedestrian walkways, is a commendable step. It ensures the safety and enjoyment of our city's landmarks for both tourists and New Yorkers while providing clear guidelines for vendors. This bill harmonizes public safety with the livelihoods of vendors, including disabled Veterans, who look forward to continuing their business in more suitable locations like City Hall Park.

Furthermore, other bills being considered, such as those regarding the safety and operation of e-bikes and scooters, reflect a thoughtful approach to emerging urban challenges. The requirement for businesses selling powered mobility devices to post safety guides, the introduction of licensing requirements for electric bicycle or scooter businesses, and the establishment of safety standards for powered bicycles used for food delivery services are all essential measures. These regulations not only protect consumers and workers but also contribute to the responsible growth of this sector.

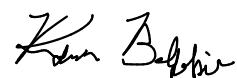
Moreover, the proposed bill allowing vendors to place their pushcarts two feet from the curb addresses a significant safety concern for vendors, reducing the risk posed by having to operate near traffic. Similarly, the bill repealing misdemeanor criminal penalties for vendors is a progressive step, recognizing the importance of civil penalties over criminalization in regulating vending activities. I can speak for many vendors when I say this step will improve the relationship between vendors and city enforcement agencies.

As a disabled Veteran, I am heartened to see the Council's commitment to preserving the rights and privileges of Veteran Street Vendors. This commitment not only respects the service of Veterans but also enriches the cultural fabric of New York City. Street vending is not just a means of livelihood; it is a symbol of the diversity and entrepreneurial spirit that defines our city.

In closing, I applaud the Council's efforts in striking a balance between regulation, public safety, and the preservation of livelihoods. As we continue to adapt to the evolving landscape of our city, it is imperative that we work together to ensure that New York remains a place where all can thrive.

Thank you for your time and consideration.

Respectfully,



Rabah Belkebir

Disabled Veteran and Street Vendor

Dear NYC City Council,

I am writing to urge you to consider the immense value street vendors bring to New York City, and the critical need to invest in their well-being through stronger worker protections and a clear path to legalization. Street vendors are not simply individuals hawking goods on sidewalks; they are the backbone of our vibrant street life, cultural tapestry, and economic engine.

The Heartbeat of Our City:

- **Cultural Ambassadors:** Street vendors represent the diverse communities that make NYC unique. From fragrant halal carts to steaming tamales, they offer a taste of the world right on our streets, fostering cultural exchange and appreciation.
- **Economic Powerhouse:** Despite facing numerous challenges, street vendors generate billions in revenue annually, creating jobs and contributing significantly to the local economy. They often operate in underserved neighborhoods, providing essential goods and services where traditional brick-and-mortar stores are scarce.
- **Community Hubs:** Street vendors become familiar faces in their neighborhoods, fostering a sense of community and providing a platform for social interaction. They often act as informal first responders, looking out for residents and contributing to the overall safety and vitality of our streets.

The Urgent Need for Change:

Despite their contributions, street vendors face constant challenges:

- **Precarious Work:** They lack basic worker protections like minimum wage, sick leave, and healthcare, leaving them vulnerable to exploitation and economic hardship.
- **Harassment and Displacement:** Many vendors operate under the constant threat of fines and confiscation of their goods, creating a climate of fear and uncertainty.
- **Limited Opportunities:** The current permitting process is complex and burdensome, making it difficult for vendors to formalize their businesses and access the full potential of their entrepreneurial spirit.

Investing in a Brighter Future:

By strengthening worker protections and creating a clear path to legalization, NYC can unlock the true potential of street vendors and reap the benefits for our city as a whole. Here's how:

- **Establish Fair Labor Standards:** Ensure street vendors receive minimum wage, overtime pay, and access to basic benefits like sick leave and healthcare.
- **Streamline the Permitting Process:** Create a transparent and accessible system for vendors to formalize their businesses, reducing bureaucratic hurdles and fostering entrepreneurship.

- Provide Dedicated Support Services: Offer training programs, financial assistance, and access to resources to help vendors thrive in the formal economy.
- Protect Vendor Rights: Implement clear regulations that safeguard vendors from harassment, extortion, and arbitrary confiscation of their goods.

Investing in street vendors is not just about protecting their livelihoods; it's about investing in the very fabric of New York City. By empowering these hardworking individuals, we can create a more vibrant, inclusive, and economically just city for all.

I urge you to champion the cause of street vendors and advocate for policies that recognize their value and contributions. Together, we can build a brighter future where street vendors not only survive but thrive, enriching our city's cultural landscape and economic prosperity.

Sincerely,

Sunaina Rao

Sunan Musovic

1/25/2024

2333 Arthur Ave, Bronx, NY 10458

Briska Grocery

As the owner and operator of Briska Grocery for the last 40+ years, I have seen many great changes in the Belmont neighborhood. Never in my 40 years have I seen a worse change than the street dining huts that have been created on Arthur Avenue and across the 5 boroughs.

With the increase in rodents and the decrease in parking, many patrons that were coming to our block for years have disappeared for good. They have opted for other areas where they can easily park and not be disgusted by the amount rodents in the area.

The quality of life, business, and safety of our wonderful patrons has dissipated due to these street dining huts.

I am in favor of removing all remaining huts that take up parking spots in our neighborhood.

Sunan Musovic

January 30, 2024

To the New York City Council:

My name is Victoria Cuomo and I own and reside in an apartment in DUMBO at [REDACTED]. I am writing today to state my opposition to Bill T2024-0075, which seeks to permit street vendors to vend within two feet from the curb.

Though I cannot speak to other neighborhoods as closely as mine, I can tell you how detrimental this bill would be to DUMBO and the surrounding areas. Since the vendor ban on the Brooklyn Bridge, our neighborhood is already suffering from an influx of vendors who severely limit and obstruct the ability to use our sidewalks as residents and pedestrians. Bill T2024-0075 would greatly expand where vendors can vend with no regard for walk lanes or functionality of street furniture like planters, bike racks, fire hydrants, etc. Without this bill in place, I already find it incredibly challenging to navigate our sidewalks with vendors present. I am including a photo taken on January 8th, 2024 which shows how challenging it is to use our sidewalks when vendors are present.



Current law (NYC Code §20-465(a)) states: “You must leave at least a 12-foot-wide clear path on the sidewalk for pedestrians.” This new bill could reduce this clearance to 8 feet or less, further increasing congestion. There is no efficient body policing these vendors, so there is no guarantee that this bill would leave any passable space for pedestrians, as you can see in the image included. Though the intention of this bill is to increase the safety of the vendors, I believe it puts every pedestrian in harm’s way.

Needless to say, I believe this bill should be strongly opposed in its current form. Co-sponsors on this bill are clearly favoring the opinions of a small group of vendors over their constituents, which is disappointing to say the least. Further, “obstruction” is ill-defined and allows for a grey area in policing this boundary. It would take only a few minutes in DUMBO to see how detrimental this bill would be for our quality of life and property value should our sidewalks continue to

shrink in size. Vendors are a tourist attraction, but our neighborhood is our home.

Thank you for your time,

Victoria Cuomo

Why is the City Council intent on destroying New York City? In the name of helping people make ends meet our streets will become open flea markets – blocking the elderly and disabled, hurting rent-paying merchants who pay taxes and hire local people, and create a level of disorder that will only lead to more and more crime. Add the restaurant sheds that you love so much and our streets will be an absolute unruly mess.

I have had a woman selling her crap on my corner for the last few years. She has assaulted me, urinates and defecates on 78th Street in Jackson Heights, screams racist and homophobic epithets, and destroys the quality of life on our block. Oh, but there was a pandemic, so the City agencies do nothing and look the other way. Thanks to the City Council members who do not understand the consequences of their beloved hyper-progressive policies. Here is what I have written to the DSNY, which took over the illegal street vendors from the DCWP, which took it over from the NYPD. Once the NYPD no longer had the authority, it was OPEN SEASON on our sidewalks from illegal street vendors:

Jackson Heights has had a serious illegal street vendor problem since the pandemic, especially at the following locations, most every day, when weather allows:

82nd Street between Roosevelt and 37th Avenues, and between 81st and 83rd Streets along 37th Avenue

76th to 77th Street and 78th to 79th Street along 37th Avenue

74th to 75th Streets along Roosevelt Avenue – in front of Subway entrance

Out-of-control street vending is simply unacceptable and unfair to residents and rent-paying businesspeople not just in Jackson Heights, but across our whole city.

1. Vendors impede full use of shared sidewalks by pedestrians.
2. Vendors and their infrastructure create a palpable sense of disorder on our streets.
3. Vendors unfairly compete with rent-paying merchants in our commercial storefronts.
4. The vast majority of our vendors are “professionals,” not struggling individuals.
5. Vendors station their cars, SUVs, and vans in metered parking all day limiting already downsized parking access for residents and visitors.
6. Vending activity continues to grow and grow, taking over more and more of our sidewalks and streets.
7. The loss of vital tax revenue for the City of New York is required for funding necessary services.

In 2021, a school and city-sanctioned flea market was created in front of PS 69 (77th to 78th Streets on the south side of 37th Avenue) in response to the increasing level of unlicensed street vending. Such a good-faith effort should help address the needs of individuals who want to generate income by vending – in one location, on specified days and at specified hours. But what we continue to have instead are unacceptable open-ended conditions without the essential oversight required from the DSNY despite years of complaints. The flea market attracts vendors who do not want to pay the fees or adhere to the rules. They crowd the sidewalks between 76th and 79th streets as a result. Consistent enforcement is necessary, and its absence is unacceptable.

Add to this the street vendor MESS on 82nd Street between Roosevelt and 37th Avenues, and the disaster that is Roosevelt Avenue. Next to the drugs, prostitution, illegal identity cards, drunkenness, etc., I guess the illegal street vendors look almost quaint!!!

And to that end, we want our city agencies and elected officials to agree to the following:

1. Document the extent of the vending problem in Jackson Heights. Create a base line so we can measure improvements.
2. Develop a coherent strategy to address and solve this growing problem.
3. Enforce, the law with regular consistency, especially among the commercial blocks of Jackson Heights (and the rest of the city).
4. Ticket the vendor vehicles - cars, vans, and SUVs – taking up metered parking each and every Saturday and Sunday. Traffic enforcement must be present and consistent for at least 2-3 months to change behavior. Each and every weekend tickets must be handed out.

Oh, but these four requests are so mean spirited, given that our wonderful illegal street vendors just want to make a living. Yes, at everyone else's expense. And now YOU want to make it EASIER for them. Please exit your fantasy world and come back to reality. Your efforts to make it easier to vend on our sidewalks are misguided and you NEVER seem to consider the consequences of your proposed legislation.

And when all the TAX PAYING residents leave, you can have your progressive utopia that NO ONE WILL WANT TO LIVE IN. THIS SHIP WILL SINK JUST LIKE SAN FRANCISCO. YOU ARE SEEMINGLY WELL INTENTIONED BUT ULTIMATELY FOOLISH, FOOLHEARDY, PEOPLE WHO DO NOT SEEM TO UNDERSTAND THE CONSEQUENCES OF YOUR ACTIONS. ELECTIONS HAVE CONSEQUENCES, AND THOSE OF US WHO DO NOT WANT TO LIVE UNDER THE CONDITIONS YOU CREATE WILL LEAVE. AND WE WILL TAKE OUR TAX MONEY AND ASSETS WITH US. Think about what you will be creating.

THIS TIME THINK, YES THINK OF THE CONSEQUENCES, BEFORE YOU ACT. WHY MUST YOU CATER AND PANDER TO PEOPLE WHO BLOCK OUR STREETS, DON'T PAY TAXES, AND DEGRADE OUR QUALITY OF LIFE, ALL IN THE NAME OF CREATING YOUR PROGRESSIVE FANTASYLAND. WHO WILL FUND YOUR FANTASYLAND WHEN THE TAX REVENUES DECLINE. EVER THINK OF THAT?

Precisely who will enforce the loosened rules that you covet?

SHAMEFUL AND DESPICABLE.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Managing Attorney Julianne Ferruggia

Address: NYPD

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Deputy Inspector Kevin Cain

Address: NYPD

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0068,0077 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Kassandra Perez-Desir

Address: _____

I represent: Door Dash

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Margaret Fargione

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Rick Rodriguez

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Will Carry

Address: _____

I represent: DOT

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

English

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Muhammed Al-Wad

Address: [REDACTED] Ave Astoria NY

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: ED WESTLEY

Address: [REDACTED]

I represent: JHBG

Address: PO BOX 720253

THE COUNCIL
THE CITY OF NEW YORK

english

Appearance Card

I intend to appear and speak on Int. No. 72469 Res. No. _____

☐ in favor ☒ in opposition

Date: Jan 31, 2024

(PLEASE PRINT)

Name: Hayley Prim

Address: _____

I represent: Uber Technology Inc.

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Arabic

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Nazih Atia

Address: _____

I represent: _____

Address: Vending and Ambulance

THE COUNCIL
THE CITY OF NEW YORK

mandarin

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Chang Wu Zhou

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. T75 Res. No. _____

☐ in favor ☒ in opposition

Date: 1/31/24

(PLEASE PRINT)

Name: Daniel Scorse

Address: W42

I represent: Hudson Yards Hell's Kitchen Alliance

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1253 Res. No. _____

☐ in favor ☒ in opposition

Date: 04/31/24

(PLEASE PRINT)

Name: Lisa Sorin

Address: _____

I represent: Bronx Chamber of Commerce

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 75-74 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Brian McGinn

Address: _____

I represent: Bryant Park Corp - 34th Street Patrol

Address: 5 Bryant Park

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Christin Caizabanda

Address: _____

I represent: Vending on Bridges

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Leis Handoa

Address: _____

I represent: _____

Address: Vending on Bridges

**THE COUNCIL
THE CITY OF NEW YORK**

Spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: HUGO GONZALEZ

Address: _____

I represent: _____

Address: Brooklyn Bridge - Vending

**THE COUNCIL
THE CITY OF NEW YORK**

~~Spanish~~
English

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MD Rahman

Address: _____

I represent: _____

Address: Vending on Bridges

Please complete this card and return to the Sergeant-at-Arms

French

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Mamadou Niang

Address: _____

I represent: _____

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: WASID SHAH

Address: [REDACTED] Lexington Ave [REDACTED] H.N.Y. 10035

I represent: Disabled VETERAN vendors

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 057097006 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Ligia Gonzalez

Address: 3655 Broadway NY 10018

I represent: Workers Justice Project - Los Delinquentes Unidos

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 065,067,066 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Alejandro Solis

Address: 365 Broadway Brooklyn NY 11211

I represent: Workers Justice Project / Los Delinquentes Unidos

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 065,067,066 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Antonio Solis

Address: 365 Broadway Brooklyn NY 11211

I represent: Los Delinquentes Unidos / Workers Justice Project

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 11/3/24

(PLEASE PRINT)

Name: Anita Wagner

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 1/31/23

(PLEASE PRINT)

Name: Maurice Seawell

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 68,72 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Dawn Eldridge

Address: _____

I represent: Restaurant owner in Brooklyn

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0075 Res. No. _____

☐ in favor ☒ in opposition

Date: 1/31/24

(PLEASE PRINT)

Name: JANE ROSSMAN

Address: _____

I represent: GARMENT DISTRICT ALLIANCE

Address: _____

Please complete this card and return to the Sergeant-at-Arms

English

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Romero Salvito 1046

Address: [redacted] Waldo Ave [redacted] Bx NY

I represent: _____

Address: _____

English

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: [redacted] Selasie Lopez

Address: _____

I represent: _____

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 0077 & 0078 Res. No. _____

☐ in favor ☒ in opposition

Date: 1/31

(PLEASE PRINT)

Name: Alexandre Perez-Desir

Address: _____

I represent: Door Dash

Address: 280 Broadway, NY NY 10010

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Flora D. Cruz

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Alejandra Marin

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jesus Alcala

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Vicente Venier

Address: Vandewater

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JOSE MASAQUIZA

Address: _____

I represent: _____

Address: Newman Bridge

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/24

(PLEASE PRINT)

Name: Carla de Jesus Rodriguez

Address: Taylor & Bront NYC 10472

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Elvia Pilla

Address: [Redacted] Putnam Ave

I represent: _____

Address: Vending on Bridges

THE COUNCIL
THE CITY OF NEW YORK

Spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: SONIA PEREZ

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Haia Chargo

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

Spanish

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: *Maria Jimenez*

Address: _____

I represent: _____

Address: _____

Spanish

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: *ANA Leon*

Address: _____ *North Bergen NJ 07047*

I represent: _____

Address: _____

*ESPAÑOL
SPANISH*

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: *Manuel Castro*

Address: _____

I represent: _____

Address: _____

Spencer 41

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: Soledad Monroy (PLEASE PRINT)

Address: _____

I represent: _____

Address: _____

Spencer 41

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

Name: William Cadena Rojas (PLEASE PRINT)

Address: Wadsworth

I represent: _____

Address: _____

Spencer 41

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

Name: HUGO GONZALEZ (PLEASE PRINT)

Address: WADSWORTH

I represent: _____

Address: _____

SPANISH

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JESUS GONZALEZ

Address: [REDACTED] RESPECT AV Bronx 10459

I represent: _____

Address: _____

SPANISH

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: LUIS DAVID MORALES

Address: _____

I represent: _____

Address: _____

SPANISH

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Maria CHUNCHO

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: María Chango

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Yormara Gomez

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Elsa Amancilla

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Francisco Calderon

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Manuel Lopez

Address: _____

I represent: Brooklyn Bridge Kennedy

Address: Kendall

THE COUNCIL
THE CITY OF NEW YORK

Spanish

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Heriberto Lopez

Address: _____

I represent: Brooklyn Bridge Kennedy

Address: Kendall

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Cristian Carabanda

Address: _____

I represent: Bridge vending

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jesus Gonzalez

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Francisco Carabanda

Address: Cristian

I represent: Bridge vending

Address: bridge

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 6068/6072 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Maria Notaro

Address: _____

I represent: Laguli Pastry (small business)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 68,72,75 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Lisa Sorin

Address: _____

I represent: Bronx Chamber of Commerce

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 11/31/2024

(PLEASE PRINT)

Name: Raul Rivera

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0068,007 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: MOZEIK PERKINS

Address: _____

I represent: Delivery Worker

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: CARINA KAUFMAN - GUTIERREZ

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 01/31/2024

(PLEASE PRINT)

Name: ERIC NAVA - PEREZ

Address: E 106 STREET

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. T75 Res. No. _____

☐ in favor ☒ in opposition

Date: 1/31/24

(PLEASE PRINT)

Name: Alexandria Sica

Address: _____

I represent: Dumbo BID (BK)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. T75 Res. No. _____

☐ in favor ☒ in opposition

Date: 1/31/24

(PLEASE PRINT)

Name: Regina Myer

Address: _____

I represent: Downtown BK Partnership

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

english

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: ROB BYRNES

Address: 875 THIRD AV., NY, NY

I represent: NYC BID ASSOCIATION

Address: 875 THIRD AV. NY, NY

Please complete this card and return to the Sergeant-at-Arms

English

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Ahmed Hassan

Address: _____

I represent: Street Vending on Bridges

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL THE CITY OF NEW YORK

english

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Mohamed Attia

Address: _____

I represent: Street Vendor Project - SVP

Address: Vending on Bridges

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

E-batteries ☐ in favor ☒ in opposition

Date: *1/31/24*

(PLEASE PRINT)

Name: *Joshua Racion*

Address: *5 Bryant Park*

I represent: *GrubHub*

Address: *5 Bryant Park*

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: *1/31/24*

(PLEASE PRINT)

Name: *Christopher Leon Johnson*

Address: *[Redacted] Buffalo Ave [Redacted]*

I represent: *Self*

Address: _____

Please complete this card and return to the Sergeant-at-Arms