



Legislation Details (With Text)

File #: Int 2288-2021 **Version:** A **Name:** Requiring third-party food delivery services and third-party courier services to provide food delivery workers with insulated food delivery bags, and authorizing the commissioner of the department of consumer and worker protection to deny, suspend, revoke

Type: Introduction **Status:** Enacted
In control: Committee on Consumer Affairs and Business Licensing

On agenda: 4/29/2021

Enactment date: 10/24/2021 **Enactment #:** 2021/113

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring third-party food delivery services and third-party courier services to provide food delivery workers with insulated food delivery bags, and authorizing the commissioner of the department of consumer and worker protection to deny, suspend, revoke or refuse to renew a license for violations of chapter 15 of title 20 of such code

Sponsors: Justin L. Brannan, Carlina Rivera, Margaret S. Chin, Farah N. Louis, Diana I. Ayala, Brad S. Lander, James G. Van Bramer, Helen K. Rosenthal, Antonio Reynoso, Carlos Menchaca, Mark Gjonaj, Kevin C. Riley, Ben Kallos, Public Advocate Jumaane Williams

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Date	Ver.	Action By	Action	Result
4/29/2021	*	City Council	Introduced by Council	
4/29/2021	*	City Council	Referred to Comm by Council	
6/8/2021	*	Committee on Consumer Affairs and Business Licensing	Hearing Held by Committee	
6/8/2021	*	Committee on Consumer Affairs and Business Licensing	Laid Over by Committee	
9/23/2021	*	Committee on Consumer Affairs and Business Licensing	Hearing Held by Committee	
9/23/2021	*	Committee on Consumer Affairs and Business Licensing	Amendment Proposed by Comm	
9/23/2021	*	Committee on Consumer Affairs and Business Licensing	Amended by Committee	
9/23/2021	A	Committee on Consumer Affairs and Business Licensing	Approved by Committee	Pass
9/23/2021	A	City Council	Approved by Council	Pass
9/23/2021	A	City Council	Sent to Mayor by Council	

10/24/2021	A	Administration	City Charter Rule Adopted
10/25/2021	A	City Council	Returned Unsigned by Mayor

Int. No. 2288-A

By Council Members Brannan, Rivera, Chin, Louis, Ayala, Lander, Van Bramer, Rosenthal, Reynoso, Menchaca, Gjonaj, Riley, Kallos and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to requiring third-party food delivery services and third-party courier services to provide food delivery workers with insulated food delivery bags, and authorizing the commissioner of the department of consumer and worker protection to deny, suspend, revoke or refuse to renew a license for violations of chapter 15 of title 20 of such code

Be it enacted by the Council as follows:

Section 1. Section 20-563.9 of the administrative code of the city of New York, as added by a local law for the year 2021 amending the administrative code of the city of New York, relating to the licensing of third-party food delivery services, and repealing subchapter 22 of chapter 5 of title 20 of the administrative code of the city of New York, relating to third-party food delivery services, as proposed in introduction number 1897 for the year 2020, is amended to read as follows:

§ 20-563.9 Denial, renewal, suspension and revocation of license. In addition to any powers of the commissioner and not in limitation thereof, the commissioner may deny or refuse to renew any license required under this subchapter and may suspend or revoke any such license, after due notice and opportunity to be heard, if the applicant or licensee, or, where applicable, any of its officers, principals, directors, members, managers, employees, or stockholders owning more than ten percent of the outstanding stock of the corporation, is found to have:

- a. Committed two or more violations of any provision of this subchapter or any rules promulgated thereunder in the preceding two years;
- b. Made a material false statement or concealed a material fact in connection with the filing of any application pursuant to this subchapter; [or]
- c. Committed two or more violations of chapter five of title twenty of this code and any rules promulgated thereunder in the preceding two years; or

d. Committed two or more violations of chapter fifteen of title twenty of this code and any rules promulgated thereunder in the preceding two years.

§ 2. Subchapter 2 of chapter 15 of title 20 of the administrative code of the city of New York, as added by a local law for the year 2021 amending the administrative code of the city of New York, in relation to establishing general provisions related to working conditions for third-party service workers and requiring that third-party food delivery services permit delivery workers to set limitations on distance and route for deliveries, as proposed in introduction number 2289-A for the year 2021, is amended by adding a new section 20-1524 to read as follows:

§ 20-1524 Insulated food delivery bags. a. 1. A third-party food delivery service or third-party courier service shall provide at its own expense, or ensure the availability of, an insulated food delivery bag to each food delivery worker, provided that such worker has completed at least six deliveries for such service. Such service may not require any food delivery worker to provide an insulated food delivery bag at such worker's expense. Such insulated food delivery bag must be designed for use in accordance with section 1235 of the vehicle and traffic law.

2. Nothing in this section shall be construed to require the use of insulated delivery bags by food delivery workers.

§ 3. This local law takes effect on the same date as a local law amending the administrative code of the city of New York, relating to the licensing of third-party food delivery services, and repealing subchapter 22 of chapter 5 of title 20 of the administrative code of the city of New York, relating to third-party food delivery services, as proposed in introduction number 1897 for the year 2020, takes effect, except that the commissioner of consumer and worker protection may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.