



Legislation Details (With Text)

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Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring that third-party food delivery services permit delivery workers to set limitations on distance and route for deliveries

Sponsors: Justin L. Brannan, Carlos Menchaca

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Attachments: 1. Summary of Int. No. 2289, 2. Int. No. 2289, 3. April 29, 2021 - Stated Meeting Agenda with Links to Files

Date	Ver.	Action By	Action	Result
4/29/2021	*	City Council	Introduced by Council	
4/29/2021	*	City Council	Referred to Comm by Council	

Int. No. 2289

By Council Members Brannan and Menchaca

A Local Law to amend the administrative code of the city of New York, in relation to requiring that third-party food delivery services permit delivery workers to set limitations on distance and route for deliveries

Be it enacted by the Council as follows:

Section 1. Chapter 12 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 8 to read as follows:

Subchapter 8

Delivery Workers

§ 20-1281 Definitions. For the purposes of this subchapter, the following terms have the following meanings:

Food service establishment. The term “food service establishment” has the same meaning as provided in subdivision s of section 81.03 of the health code of the city of New York.

Third-party food delivery service. The term “third-party food delivery service” means any website, mobile application or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages from, no fewer than 20 separately owned and operated food service establishments.

Third-party food delivery worker. The term “third-party food delivery worker” means any person engaged by a third-party food delivery service to carry out deliveries.

Trip. For purposes of this section, the term “trip” means the entirety of the process by which a worker is engaged to provide food delivery services to a customer through a third-party delivery service, to include travel to a food service establishment, picking up prepared food for delivery, and taking and depositing such delivery at a different location as requested.

§ 20-1282 Delivery distance and route. All third-party food delivery services shall provide each third-party food delivery worker with an option to specify:

1. The maximum distance that such worker will travel on trips;
2. That such worker will not accept trips that require travel over any bridge or over particular bridges chosen by such worker; and
3. That such worker will not accept trips that require travel through any tunnel or through particular tunnels chosen by such worker.

b. All third-party food delivery services shall allow each third-party food delivery worker to directly modify, at any time, the parameters set by such worker pursuant to subdivision a.

c. A third-party food delivery service shall not offer any third-party food delivery worker any trip that is inconsistent with the parameters set by such worker.

d. A third-party food delivery service shall not impose any negative consequence on any third-party food delivery worker as a result of such’s workers choice of parameters for trips, including, without limitation:

1. Reducing or downgrading any public or internal rating of such worker;

2. Refusing or limiting access to the third-party food delivery service; or

3. Decreasing the number of trips offered to such worker that are consistent with the parameters set by such worker.

e. The requirements of this section shall apply to trips that originate in the city, end in the city or involve picking up food from a food service establishment located in the city.

§ 20-1283 Penalties and enforcement. Any person who violates, or causes another person to violate, a provision of this subchapter or any rule promulgated pursuant to this subchapter, shall be liable for civil penalties in amounts equivalent to those set forth in section 20-1209.

§ 2. This local law takes effect 120 days after it becomes law.

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