|  |  |
| --- | --- |
|  | **The Council of the City of New York**  **Finance Division**  Latonia Mckinney, Director  **Fiscal Impact Statement**  **Proposed Intro. No:**  2288-A  **Committee:**  **Consumer Affairs and Business Licensing** |
| **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 | **Sponsor(s):** Council Member Brannan, Rivera, Chin, Louis, Ayala, Lander, Van Bramer, Rosenthal, Reynoso, Menchaca, and the Public Advocate (Mr. Williams) |

**Summary of Legislation:**  Proposed Intro. No. 2288-A would require food delivery apps and couriers to make available insulated bags to any delivery worker who has completed at least six deliveries for the company. The food delivery app or courier would not be permitted to charge their delivery worker any money for the bag. The bag would also have to comply with Section 1235 of the State Vehicle and Traffic Law, which prohibits bicyclists from carrying bags or other articles unless they can keep at least one hand on the handlebars. Despite the requirement that the bags be provided in this way, the bill explicitly states that it cannot be interpreted as requiring delivery workers to use them. In addition, this bill would add a provision to the licensing scheme allowing the Department of Consumer and Worker Protection (DCWP) to suspend, revoke, deny or refuse to renew a food delivery app license if any provision relating to Chapter 15 of Title 20 of the Administrative Code, which will contain the provisions added by this and several other food delivery-related bills being considering together as a legislative package, was violated twice in the previous two years.

**Effective Date:** This bill would take effect on the same date as Int. 1897-A, in relation to the licensing of third-party food delivery services, takes effect. DCWP may promulgate rules or take any other necessary measures to implement the bill before it takes effect.

**Fiscal Year In Which Full Fiscal Impact Anticipated:** Fiscal 2023

**Fiscal Impact Statement:**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Effective FY22** | **FY Succeeding**  **Effective FY23** | **Full Fiscal**  **Impact FY23** |
| **Revenues** | $0 | $0 | $0 |
| **Expenditures** | $0 | $0 | $0 |
| **Net** | $0 | $0 | $0 |

**Impact on Revenues:** It is anticipated that the enactment of this legislation would not generate any revenue.

**Impact on Expenditures:** It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation because private parties would bear the cost of its requirements.

**Source of Funds To Cover Estimated Costs:** N/A

**Source of Information:** New York City Council Finance Division

**Estimate Prepared by:** Florentine Kabore, Financial Analyst

**Estimate Reviewed by:** John Russell, Unit Head

Noah Brick, Assistant Counsel

Nathan Toth, Deputy Director

**Legislative History:** This legislation was introduced to the Council on April 29, 2021 as Int. No. 2288 and was referred to the Committee on Consumer Affairs and Business Licensing (Committee). The Committee held a hearing on June 8, 2021 and the legislation was laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 2288-A, will be heard by the Committee on September 23, 2021. Upon successful vote by the Committee, the bill will be submitted to the full Council for a vote on September 23, 2021.

**Date Prepared:** September 21, 2021