STATE OF NEW YORK

7917

2023-2024 Regular Sessions

IN ASSEMBLY

August 4, 2023

Introduced by M. of A. CARROLL -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to requiring delivery safety training for those who make deliveries for online ordering and delivery platforms

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The labor law is amended by adding a new section 202-n to read as follows:

§ 202-n. Delivery safety training. 1. As used in this section, the term "online ordering and delivery platform" means any entity which facilitates the ordering of goods, from no fewer than five separately owned establishments, through the use of a website, mobile application, or other internet service and where such goods are delivered by a person connected to the order through a system or service offered or utilized by such platform.

2. On or after the one hundred eightieth day after the effective date of this section, all online ordering and delivery platforms shall provide delivery safety training before a person is allowed to make a delivery for such platform within a city with a population of one million or more via a website, mobile application, or other effective training.

3. The curriculum for the delivery safety training shall be established by the delivery safety training curriculum task force which shall consist of nine members appointed by the governor, assembly and senate, as follows: one representing the New York city department of transportation; one representing the New York state department of transportation; one representing the department of motor vehicles; two representing persons making deliveries for online ordering and delivery platforms; two representing online ordering and delivery platforms; and two repres-

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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enting street safety advocates. Such curriculum shall include, but not be limited to, the following topics:

(a) vehicle and traffic laws;

(b) safe driving behaviors;

(c) defensive driving skills; and

(d) common risks for new delivery drivers.

4. Such delivery safety training shall:

(a) be at least three hours in length;

(b) be provided in plain English and each of the ten most common non-English languages spoken by individuals with limited-English proficiency in the state of New York, based on United States census data; and

(c) be provided at no cost by the online ordering and delivery platform.

5. Persons who complete delivery safety training shall be paid fifteen dollars per hour or the minimum wage, whichever is greater, for time spent completing such training. Such payment shall be administered by the comptroller using funds collected from online ordering and delivery platforms operating within the state.

6. On or after the one hundred eightieth day after the effective date of this section, an online ordering and delivery platform shall not allow a person to make a delivery within a city with a population of one million or more before such person has completed the delivery safety training required under this section.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.