

STATE OF NEW YORK

7983

2023-2024 Regular Sessions

IN ASSEMBLY

August 18, 2023

Introduced by M. of A. SIMON -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to prohibiting delivery services from guaranteeing thirty-minute delivery and prohibiting such services from penalizing workers for failure to deliver within thirty minutes

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

1 Section 1. The general business law is amended by adding a new section
2 391-w to read as follows:

3 § 391-w. Thirty-minute delivery services; delivery time not guaran-
4 teed. 1. For purposes of this section, "thirty-minute delivery service"
5 shall mean any website, mobile application, or other internet service
6 that offers or arranges for delivery of goods, including food, and
7 advertises that such deliveries shall occur within thirty minutes or
8 less.

9 2. Every thirty-minute delivery service shall include the following
10 language in any advertisement that mentions deliveries within thirty
11 minutes or less: "Delivery is not guaranteed within 30 minutes. For the
12 safety of the public and delivery workers, please allow more than 30
13 minutes for delivery." In any such written advertisement, such language
14 shall be prominently displayed in a clear and conspicuous manner to the
15 consumer.

16 3. Every thirty-minute delivery service shall disclose to any worker
17 engaged to make deliveries on behalf of such service that delivery is
18 not required within thirty minutes and that there is no penalty for
19 failure to deliver within thirty minutes. If the thirty-minute delivery
20 service uses a mobile application to communicate with such workers, such
21 disclosure shall be prominently displayed in a clear and conspicuous
22 manner in such mobile application.

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

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1 4. A thirty-minute delivery service shall not penalize any worker
2 engaged to make deliveries on behalf of such service for failure to
3 deliver within thirty minutes.

4 5. Any thirty-minute delivery service that violates any of the
5 provisions of this section shall be subject to a civil penalty of not
6 less than two hundred fifty dollars nor more than seven hundred fifty
7 dollars for each violation.

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