

STATE OF NEW YORK

3932

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

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

AN ACT to amend the general business law, in relation to improving safety during third-party food deliveries by bicycles with electric assist or electric scooter

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

1 Section 1. This act shall be known and may be cited as the "safe
2 delivery act".

3 § 2. The general business law is amended by adding a new section 391-x
4 to read as follows:

5 § 391-x. Third-party food delivery applications. 1. For the purposes
6 of this section, the following terms shall have the following meanings:

7 (a) "Food service establishment" means a place where food is provided
8 for individual portion service directly to the consumer whether such
9 food is provided free of charge or sold, and whether consumption occurs
10 on or off the premises or is provided from a pushcart, stand or vehicle.

11 (b) "Third-party food delivery service" means any website, mobile
12 application or other internet service that offers or arranges for the
13 sale or delivery of food and beverages prepared by, and the same-day
14 delivery or same-day pickup of food and beverage from, a food service
15 establishment located in the state.

16 (c) "Third-party food delivery platform" means the online or mobile
17 platform of the third-party food delivery service on which a consumer
18 can view products available for sale and place an order for a food
19 service establishment's products.

20 (d) "Third-party delivery worker" means a person who directly delivers
21 products from a food service establishment through a third-party food
22 delivery platform.

23 2. No third-party food delivery platform shall use or employ algo-
24 rithms that have the effect of promoting delivery of products through

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

LBD07114-02-5

1 such platform by a third-party delivery worker in a timeframe that
2 cannot be achieved using a bicycle with electric assist or electric
3 scooter, as defined in the vehicle and traffic law, traveling at a speed
4 greater than fifteen miles per hour and/or operating while observing
5 state and local traffic laws. This prohibition shall include, but is not
6 limited to, any monetary or non-monetary incentive for shorter delivery
7 or pickup times, or any monetary or non-monetary penalty for not
8 completing a delivery or pickup in a time less than one hour more than
9 can be achieved using a bicycle with electric assist or electric scooter
10 traveling at a speed greater than fifteen miles per hour and operating
11 while observing state and local traffic laws.

12 3. No third-party food delivery platform shall penalize a third-party
13 delivery worker for violating applicable traffic laws during a delivery.
14 No platform shall penalize a third-party delivery worker more than five
15 dollars in any one day for a traffic violation, and such violation must
16 be documented by a traffic enforcement camera.

17 4. The chief information officer, the attorney general, and a repre-
18 sentative of the mayor of a city with a population of one million or
19 more shall have the authority to audit algorithms of third-party deliv-
20 ery platforms which provide services in the state for violations of this
21 section.

22 5. A violation of this section shall be subject to a fine of no more
23 than two hundred fifty thousand dollars for a first violation and no
24 more than five hundred thousand dollars for each subsequent violation.

25 § 3. This act shall take effect on the sixtieth day after it shall
26 have become a law.