STATE OF NEW YORK

4849

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

Introduced by M. of A. SIMON, GLICK, TAPIA, BURDICK -- 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:

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

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

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

3. Every thirty-minute delivery service shall disclose to any worker engaged to make deliveries on behalf of such service that delivery is not required within thirty minutes and that there is no penalty for failure to deliver within thirty minutes. If the thirty-minute delivery service uses a mobile application to communicate with such workers, such disclosure shall be prominently displayed in a clear and conspicuous 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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4. A thirty-minute delivery service shall not penalize any worker engaged to make deliveries on behalf of such service for failure to deliver within thirty minutes.

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

§ 2. This act shall take effect on the sixtieth 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.