

**Testimony of Commissioner Vilda Vera Mayuga  
New York City Department of Consumer and Worker Protection**

**Before the Committee on  
Consumer and Worker Protection**

**Hearing on  
Micromobility and Street Vending**

**January 31, 2024**

***Introduction***

Good morning, Chair Julie Menin, and members of the Committee on Consumer and Worker Protection. My name is Vilda Vera Mayuga, and I am the Commissioner of the Department of Consumer and Worker Protection (DCWP). Thank you for the opportunity to testify today on legislation related to micromobility and street vending in New York City.

**DCWP Micromobility Measures**

The Administration is committed to protecting New Yorkers from dangerous fires caused by uncertified equipment, from unsafe and illegal equipment operating on our streets, and from exploitative work practices that impact some of our most essential workers. In supporting Mayor Adams' priorities, DCWP has served New Yorkers who purchase and utilize these devices by ensuring that those products follow safe standards established by accredited testing laboratories, and by facilitating delivery worker education on fire safety.

DCWP is the lead enforcement agency for Local Law 39 of 2023, which went into effect on September 16th, and prohibits businesses from selling powered mobility devices or batteries that are not certified to specific testing standards. Since the start of enforcement, DCWP has conducted about 470 inspections, including nearly 150 joint inspections with the New York City Fire Department, and issued summonses to 89 businesses for violating Local Law 39. Moving forward, our goal is to continue conducting proactive enforcement that builds on multilingual educational efforts that work toward creating a culture of compliance in our city. Additionally, pursuant to Local Law 41 of 2023, DCWP distributed fire safety materials developed by the Fire Department to third-party delivery services and third-party courier services, who are required to provide these materials to their delivery workers.

***General Vendors***

DCWP issues General Vendor licenses to those who sell goods or services in a public place, such as the street or sidewalk. There are currently ~1900 licensed General Vendors. The number of licenses issued to non-veteran general vendors is capped at 853 licenses and the waiting list for non-veteran applicants is currently closed. License applications for General Vendors are available to veterans or the surviving spouses or domestic partners of a veteran.

***Preconsidered T2024-0065***

Turning to today’s legislation, preconsidered bill T2024-0065 would require all businesses that sell e-bikes, e-scooters and other powered mobility devices to post lithium-ion battery safety informational materials and guides.

DCWP supports the intent of this bill and in educating New Yorkers purchasing or utilizing these devices on fire safety and fire risks. As we have done with Local Law 38 of 2023, we plan to work closely with the Fire Department to identify the appropriate educational materials that could serve New Yorkers, given our lack of technical expertise in fire safety. We also recommend giving the Fire Department concurrent enforcement authority.

***Preconsidered T2024-0066***

Preconsidered bill T2024-0066, this bill would create recordkeeping and reporting requirements for entities that purchase or accept used batteries that power devices such as e-bikes, and e-scooters, and require those entities to provide those records to DCWP. In turn, DCWP would then be required to make those records available to the Fire Department and the Department of Sanitation, upon request.

DCWP opposes this bill. Upon further discussion with our sister agencies and stakeholders, we have been unable to identify an agency that would have substantial use for these records, or to what ends this recordkeeping is necessary, given existing regulations.

***Preconsidered T2024-0067***

Preconsidered bill T2024-0067 would create a new licensing requirement for businesses selling electric bicycles and scooters. The bill authorizes DCWP to issue civil penalties for violations under the law and deny, suspend, or revoke a license.

While DCWP agrees that it is important to create stronger regulations for these businesses, we believe it is premature to implement a licensing regime at this point in time. Instead of licensing these businesses, we propose strengthening the city’s authority to close down businesses that repeatedly sell illegal and unsafe uncertified equipment through a “sealing authority”. We also have recommendations for improving current local law by increasing penalties for first time violations, and giving the FDNY concurrent enforcement authority. We welcome any discussions on how we can ensure the safety of New Yorkers with respect to unsafe and uncertified devices.

***Preconsidered T2024-0070***

Lastly, preconsidered bill T2024-0070 provides amendments to general vendor and mobile food vendor regulations governing display and bookkeeping requirements. The Administration supports this legislation, which was also recommended by the Street Vendor Advisory Board (SVAB) convened pursuant to Local Law 18 of 2021.

## *Conclusion*

Thank you for the opportunity to testify before your committee on today's legislation. The Administration looks forward to hearing today from stakeholders on the impact of these bills for their constituencies and to collaborating closely with the Council during the legislative process.