

NYC
Department of
Consumer Affairs

Jonathan Mintz
Commissioner

April 8, 2009

[REDACTED]
Licensing Attorney
[REDACTED]

[REDACTED]

42 Broadway
5th Floor
New York, NY 10004

Re: General Vendor License #1 [REDACTED]

Dear Mr. [REDACTED]:

[REDACTED] tel
[REDACTED] fax

nyc.gov/consumers

I am writing in response to your request for information about the provisions of New York City's licensing law applicable to a general vendor. You asked whether the Department of Consumer Affairs ("DCA") issues a General Vendor license to an individual or to a corporation, and for verification that your General Vendor license (# [REDACTED]) was issued to you as an individual and not as a corporation. You also asked whether DCA licenses hand trucks.

DCA issues General Vendor licenses to individuals, not to corporations. Title 20 of the New York City Administrative Code ("Code") Section 20-453 prohibits "any individual [from] act[ing] as a general vendor without having first obtained a license..." Similarly, Code Section 20-461(a) requires each general vendor to "carry his or her license on his or her person," and Section 20-461(b) provides that "a general vendor's license shall contain his or her name, his or her license number, and a non-removable photograph of the licensee" and "shall be worn conspicuously by him or her at all times while he or she is operating as a general vendor." These provisions demonstrate the City Council's intention to limit the issuance of a general vendor's license to natural persons. The attached Certificate of Licensure shows that license # [REDACTED] is issued solely in your name and not that of a corporation.

The general vendor provisions of the Administrative Code do not authorize DCA to license auxiliary equipment, such as a hand truck used by a general vendor licensee. However, Section 20-455(b)(2) requires an applicant for a general vendor's license to provide to the Department a "description of any . . . pushcart . . . to be used in the vending business." A pushcart is defined as "any wheeled vehicle or device used by a general vendor in a public space, other than a motor vehicle or trailer, which may be moved with or without the assistance of a motor and which does not require registration by the department of motor vehicles." A handtruck falls within the definition of a pushcart and, if used, should be described on the general vendor application.

Sincerely,

[REDACTED]
Licensing Attorney
Licensing Division