



Jonathan Mintz  
Commissioner

42 Broadway  
8th Floor  
New York, NY 10004  
[nyc.gov/consumers](http://nyc.gov/consumers)

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BY E-MAIL

**RE: Second-hand Dealers: EBT Cards as Acceptable Evidence of Identity**

Dear Mr. Komuro:

This is in response to your inquiry in which you ask whether a second-hand dealer, when purchasing used items, may accept as verification of the seller's identity an Electronic Benefit Transfer ("EBT") Card issued by New York and other states and which contains the seller's photograph and signature. The answer to your question is yes.

Section 2-101 of Title 6 of the Rules of the City of New York ("6 RCNY" or "the Rules") states that "[i]t shall be the duty of every second-hand dealer to verify the identity of every person from whom he purchases an article." 6 RCNY Section 2-101(a) provides as acceptable evidence of identity "[a]ny official document issued by the United States government, any state, county, municipality or subdivision thereof, any public agency or department thereof...which requires and bears signature of person to whom issued." Thus, an EBT Card issued by the United States government, or by any state, county, municipality, public agency or department, which bears the seller's photograph and signature, may be used by a second-hand dealer to verify the seller's identity when purchasing used items.

You also ask whether your company may enforce a store policy declining EBT cards as a form of identification in your New York City locations. The answer is no. Because EBT cards are an acceptable form of identification under the Rules, you cannot adopt a blanket policy declining their use. You may, however, consider on an individual basis whether an EBT card sufficiently verifies a seller's identity and may decline it if the EBT card does not contain the seller's photograph and/or signature.

Laws relevant to second-hand dealers may be found at [nyc.gov/BusinessToolbox](http://nyc.gov/BusinessToolbox).

Thank you for your inquiry.

