

**Note:** New York City businesses must comply with all relevant federal, state, and City laws and rules. All laws and rules of the City of New York, including the Consumer Protection Law and Rules, are available through the Public Access Portal, which businesses can access by visiting [www.nyc.gov/consumers](http://www.nyc.gov/consumers). For convenience, sections of the New York City Licensing Law (and Rules, if enacted) are included as a handout in this packet. The Law (and Rules) are current as of January 2009.

Please note that businesses are responsible for knowing and complying with the most current laws, including any City Council amendments. The Department of Consumer Affairs (DCA) is not responsible for errors or omissions in the handout provided in this packet. The information is not legal advice. You can only obtain legal advice from a lawyer.

**NEW YORK CITY ADMINISTRATIVE CODE**  
**TITLE 20: CONSUMER AFFAIRS**  
**CHAPTER 2: LICENSES**  
**SUBCHAPTER 8: SIGHTSEEING GUIDES**

§ 20-242 Definition. Whenever used in this subchapter the term "guide" shall mean and include any person who engages in the business of guiding or directing people to any place or point of public interest or who, in connection with any sightseeing trip or tour, describes, explains or lectures concerning any place or point of public interest to any person within the city or obtains the patronage of any person for such trip. Nothing herein contained shall be construed to include any person or persons who describes, explains or lectures concerning any place or point of public interest while aboard a sightseeing boat or vessel regularly engaged in scheduled trips around Manhattan island on navigable waters.

§ 20-243 License required. It shall be unlawful for any person to act as a guide without a license therefor from the commissioner.

§ 20-244 Applications. a. Each applicant for such license shall be at least eighteen years of age; and

b. Each such applicant shall be required to pass an examination satisfactorily. Such examination shall be under the supervision of the commissioner and shall test the knowledge of the applicant concerning places or points of historic or public interest in and about the city. Any person who can present satisfactory proof to the commissioner that he or she has been engaged as a sightseeing guide in the city for a period of at least two years prior to August second, nineteen hundred thirty-seven shall be exempt from such examination.

§ 20-245 License fee; display. a. The annual fee for such license shall be twenty-five dollars.

b. Each such license shall be displayed in a conspicuous place in the office or place of business of the licensee, or if a vehicle is used, in such vehicle, or if a guide has no office or uses no vehicle, he or she shall carry such license on his or her person at all times.

§ 20-246 Fees charged. a. In each bus or vehicle used for sightseeing purposes a schedule shall be permanently displayed showing the full cost per passenger for the trip to be taken.

b. It shall be unlawful for any licensed guide to charge a fee in excess of one dollar per hour per person.

§ 20-247 Regulations. a. The commissioner may prescribe such rules and regulations as he or she deems necessary to protect persons and property in the enforcement of this subchapter.

b. It shall be unlawful for the driver of any vehicle to explain, describe, or lecture while such vehicle is in motion, unless the seating capacity of such vehicle is seven passengers or fewer. Each such driver who talks or lectures must be a licensed guide.

c. It shall be unlawful for any licensee to obstruct any street or public space, or to touch any person or to interfere with the free passage of the public along any street or public space for the purpose of soliciting employment as a guide.

d. It shall be unlawful for any such guide to wear a uniform or any part thereof and hold himself or herself forth as a guide unless such uniform or part thereof shall be approved by the commissioner.

e. Each licensee shall wear on the left breast of his or her outer garment a badge, while engaged in his or her occupation as a guide, bearing his or her number and the date of expiration of his or her license. Such badge shall be furnished by the commissioner. The color of such badge shall be changed each year.

f. It shall be unlawful for any licensee to guide or direct any person to a place of ill repute, house of ill fame or assignation, or to any house or place of amusement kept for immoral purposes, or to any place resorted to for the purpose of prostitution or gambling. It shall be unlawful for any such licensee to impart any information as to the location or address of any such houses or places, or to solicit the patronage of any person or persons for any hotel, lodging house or boarding house or place of temporary or permanent abode, or for any place where refreshments are served or amusement of any type provided.

g. It shall be unlawful for any licensee to engage in business or do business with any unlicensed guide.

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**RULES OF THE CITY OF NEW YORK**  
**TITLE 6: DEPARTMENT OF CONSUMER AFFAIRS**  
**CHAPTER 2: LICENSES**  
**SUBCHAPTER H: SIGHTSEEING GUIDES**

**§2-71 Documentation on Receipts.**

A receipt containing the following information must be issued to each consumer purchasing a ticket for a sightseeing tour: the name, address, telephone and license numbers of the sightseeing guide conducting the tour or the name, address and telephone number of the sightseeing tour organization sponsoring or arranging the tour; the date the ticket was purchased; the specific tour it was purchased for; and the total price for the tour.

**§2-72 Additional Charges Prohibited.**

No sightseeing guide shall charge or attempt to charge a sum greater than the original charge for the trip whether in payment for unsolicited merchandise, meals, services or for any other reasons.

**§2-73 Tie-in Services Prohibited.**

No sightseeing guide shall enter into any agreement to solicit the patronage of any consumer for any business, nor shall any sightseeing guide receive any commission, rebate or any money whatsoever directly or indirectly from any person or business in exchange for conducting or directing consumers to such person or business.

**§2-74 Examination to be Taken by Applicants.**

(a) Each person who applies on or after the effective date of this rule for a sightseeing guide license pursuant to §20-243 of the Administrative Code of the City of New York shall be required to pass a professional examination administered under the supervision of the Commissioner in accordance with §20-244(d) of the Administrative Code of the City of New York prior to the issuance such license.

(b) Each person who applies for a renewal of a sightseeing guide license that is current on or before the effective date of this rule shall be required to pass a professional examination administered under the supervision of the Commissioner in accordance with §20-244(d) of such Code prior to such renewal of such license.

(c) Each person holding a currently valid license issued pursuant §20-243 of such code shall be required to take a professional examination administered under the supervision of the Commissioner in accordance with §20-244(d) of such Code before the next renewal of such license whenever such renewal occurs three or more months after the commissioner announces that the test administered pursuant to §20-244(d) has been substantially revised.

(d) The qualifying examination for sightseeing guide licenses shall be offered on or before 2:00 p.m. each day the office is open for business. Applicants who fail the examination may retake the examination.

(e) An applicant shall pay an examination fee of fifty dollars (\$50), and such applicant who fails such examination shall be entitled to retake it once without paying an additional fee.

(f) A person holding a currently valid sightseeing license on the effective date of this rule can apply to take the professional examination at any time on or before the renewal date following the effective date of this rule without paying the examination fee specified in subdivision (e). Such person may retake the test one time without paying such fee, but shall thereafter be required to pay the examination fee as provided in such subdivision.

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