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Pushing Forward

Legislative Reforms to Fix NYC's
Street Vending System

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Background

A vital part of New York City's economic history, street vending traces its origins to the 1800s, when pushcarts operated by immigrants were a common sight on the streets of the Lower East Side.¹ It continues to be an economic anchor for many immigrants who travel to New York City to make it their home. Street vending plays an important role in supporting immigrants, people of color, and military veterans to successfully operate the city's smallest businesses while creating entrepreneurs along the way. According to a report issued by the Immigration Research Initiative,² approximately 23,000 New Yorkers are working as street vendors with 20,000 of them working as mobile food vendors.



Government oversight commenced in the early 1900s when New York City Mayor George McClellan (1904-1909) created a mayoral commission on pushcarts to address street congestion and cleanliness. The [Report of the Mayor's Push-cart Commission](#) found that there were over 2,500 licensed vendors and over 5,000 who were unlicensed.³ It was

Mayor Fiorello La Guardia (1934-1946) who, in the 1930s, pushed forward with regulating the pushcart industry primarily by steering all the vendors indoors. Under Mayor La Guardia, the city constructed nine enclosed structures where licensed pushcart vendors were provided indoor space in the city-owned public markets.⁴

1 [The Evolution and Legacy of Lower East Side Pushcarts](#)

2 [Street Vendors of New York](#)

3 [The Evolution and Legacy of Lower East Side Pushcarts, Eric Ferrara of the Lower East Side History Project, December 17, 2025](#)

4 [La Guardia Renews Push Against Push Carts, New York Times, May 22, 1938](#)

After the fiscal crisis of the 1970s, Mayor Ed Koch (1978-1989) and the New York City Council worked together and capped street vending licenses. The city capped general non-food vendor licenses at 853 in 1979 and, then in 1983, food vendors were capped at 3,000 total licenses.⁵ With no changes to this extremely limited system for over 40 years, high demand and long waitlists for aspiring vendors naturally made way for a permit black market.

The passage of [Local Law 18](#) of 2021 increased the number of food vending licenses for the first time since the Koch administration. The legislation created an additional 4,450 vending licenses over a ten-year period starting in 2022. After years of advocacy, enactment of this legislation amounted to just 445 licenses annually, far short of the demand and what is needed to bring people into a regulated market.

Challenges to Overcome



Both food and general vending licenses now commonly have long waitlists. The existing backlog includes more than 10,000 applicants for food vendor licenses alone (not counting general vendors or fresh fruit and vegetable stands). Furthermore, there are almost 12,000 individuals on the general vendor license

waiting list, which covers both general and food applicants and was started in 2016.⁶

While some progress has been made, if New York City is serious about eliminating grey and black market vending and allowing legitimate businesses to thrive, the

5 [Fiscal Impact Of Eliminating Street Vendor Permit Caps in New York City](#)

6 [Over 10,000 applicants are waiting for NYC street vendor permits. What is being done to help the process? - CBS New York](#)

licensure process must be significantly overhauled. This overhaul needs to effectively address the high demand in a way that incorporates proper regulation and provides adequate support to vendors. A comprehensive approach is necessary, as current vending licenses do not cover all types of food vendors, such as those selling fresh produce, or those selling general merchandise.



General vendors who are women or minority-based entrepreneurs may be eligible to become a Minority and Women-owned Business Enterprise (M/WBE). Unpermitted vendors will face challenges in obtaining M/WBE certification because their businesses are not officially recognized by the city and M/

WBE requirements include being a registered vendor with the City of New York.⁷ The New York City Small Business Services (SBS) and the Chambers of Commerce have worked on recruiting eligible New Yorkers and assisting them with becoming M/WBE's. However, groups like street vendors have been left to navigate M/WBE certification and licensure on their own⁸. M/WBE certification can potentially serve as a great value to street vendors and other small business owners who are looking to expand after operating a business independently.

Non-compliance among street vendors does not necessarily indicate malicious intent. Significant difficulties exist for both vendors and established businesses in determining the appropriate locations for vending, often leading to operations outside of established legal frameworks. Street vendors are required to be located a certain distance from a street curb, building, building entrance, and crosswalks.

7 [Minority and Women-owned Business Enterprise \(M/WBE\) Certification Program](#)

8 [M/WBE Certification | Bronx Chamber of Commerce](#)

Starting with sidewalks, New York City vending law requires a general merchandise vendor to have at least a 12-foot clear pedestrian path⁹ which is measured from any property line to the curb or to any sidewalk obstructions (trees, street furniture or equipment). According to New York City's sidewalk regulations and data, this results in approximately 80% of the city's sidewalks not being wide enough to permit legal street vending.



Additional restrictions further limit available space, including:

1. no vending within 20 feet of a building entrance, a sidewalk cafe, or a store entrance;
2. a required distance of 10 feet from any subway entrance or crosswalk;
3. prohibitions on vending at bus stops, taxi stands, on sidewalk cellar doors or ventilation grills; and
4. restrictions on hundreds of specifically designated blocks citywide.

Altogether, this means that less than 20% of all New York City sidewalks are able to permit vending.¹⁰

These rules, combined with caps on the number of available general vending licenses, create significant challenges for street vendors in New York City, leading

⁹ [§ 20-465 Restrictions on the placement of vehicles, pushcarts and stands; vending in certain areas prohibited.](#)

¹⁰ [Sidewalks - Neighborhood Commons](#)

many to operate without permits or face substantial fines. While these rules exist, without the proper city agency support for regulation, education, and vending space identification resources, it leaves both vendors and brick and mortar businesses at odds with one another in confusion instead of working together in an ecosystem of businesses for New Yorkers.

The city needs to provide vendor and consumer training on the regulatory framework that exists to ensure compliance, including for those who are enforcing the laws and regulations. In 2023, the Adams administration transferred enforcement responsibilities of unlicensed street vendors from the Department of Consumer and Worker Protection (DCWP) to the Department of Sanitation (DSNY)¹¹. The transfer of authority to DSNY resulted in the bifurcation of city resources, and instead of streamlining it continues to complicate the work of both agencies. DCWP issues vending permits and, therefore, is best positioned to carry out any enforcement measures for non-compliance with the laws. After the introduction of DSNY as the enforcement arm for street vending, vendors were provided inaccurate information by DSNY employees who were themselves untrained and unfamiliar with the vendor industry and the specific regulations they were tasked to enforce. Vendors and advocates reported “erratic” and inconsistent enforcement, with some receiving summonses for minor infractions like having a license in a backpack instead of around their neck or being a few inches too close to a crosswalk. This suggested a lack of uniform understanding or application of the rules among enforcement personnel. Incorrect information from DSNY staff, who falsely told vendors licenses were immediately available worsened the issue. This misinformation led to false hope and disorder, resulting in merchandise seizures and ongoing fines, with some vendors losing up to \$10,000.¹² The optics of DSNY staff serving as the enforcement agency in and of itself sends a message to street vendors that their merchandise is the same as trash, to be picked up by sanitation workers.

¹¹ [Street Vendor Oversight Shift to Department of Sanitation Gets Trash Talk From Council](#)

¹² [NYC street vendors face rising fines and fractured community amid slow reform](#)

Meanwhile, the New York Police Department (NYPD) remains New York City's law enforcement agency for civil and criminal matters. The NYPD continues to be involved in the day-to-day enforcement of the rules, regulations, and laws pertaining to street vending. Enforcement by any other authorized agency does not override or replace the NYPD's enforcement abilities and responsibilities. In 2024, the NYPD issued 9,376 summonses to vendors, almost twice as many as the 4,213 summonses issued by the NYPD to vendors in 2023. According to the NYPD, the ticket increases were attributed to "quality of life" complaints made to 311 operators.¹³

The time has come for the city to make vending more safe, viable and supportive for the vendors and their patrons. The current manner in which the city approaches and addresses street vendors results in honest merchants feeling harassed, without a pathway to access the proper business licenses, sometimes being unfairly arrested, and without adequate resources or clear regulations to follow.

The Street Vendor Reform Package

The shortage of permits creates an illegal secondary market forcing many street vendors to operate outside the formal economy. There is little official government data on the income or profitability of these businesses since a super-minority of the existing 23,000 vendors in New York City operate with a license. In 2022, New York City Councilmembers, street vendors, and advocates including the Urban Justice Center's Street Vendor Project drafted and introduced a legislative package known as the Street Vendor Reform Package. Collectively, passage of this package will create pathways for unpermitted vendors to enter the formal economy by increasing

13 [NYC Issued Over 10,000 Street Vendor Tickets, Confiscated Tons of Food in 2024](#)

the number of food and general vendor¹⁴ licenses, as well as decriminalizes vending without a license.¹⁵ Additionally, the package would create an SBS infrastructure to provide assistance and resources to vendors.

Unfortunately, this package was not scheduled for a vote in the 2022-2023 legislative session. In February of 2024, the Street Vendor Reform Package was re-introduced¹⁶. As of drafting this report, the package is comprised of the following bills:

- **[Int. No. 47-2024](#) now known as [Local Law 122 of 2025](#) - Councilmember Shekar Krishnan: A Local Law to amend the administrative code of the city of New York, in relation to repealing the misdemeanor criminal penalties for general vendors and mobile food vendors;**
- **[Int. No. 431-2024](#)** - Councilmember Pierina Sanchez: A Local Law to amend the administrative code of the city of New York, in relation to expanding business licensing and regulatory compliance of all mobile food and general vendors;
- **[Int. No. 408-2024](#)** - Public Advocate Jumaane Williams: A Local Law to amend the New York city charter, in relation to creating a division within the department of small business services to assist street vendors and requiring the commissioner of small business services to update the department's programs to facilitate street vendor access; and
- **[Int. No. 24-2024](#)** - Councilmember Carmen De La Rosa: A Local Law to amend the administrative code of the city of New York, in relation to permitting street vendors to vend within two feet from the curb.

14 [The New York City Council - File #Int 0431-2024](#)

15 [The New York City Council - File #Int 0047-2024](#)

16 The current legislative session started on January 1, 2024 and ends on December 31, 2025. The previous legislative session ran from January 1, 2022 until December 31, 2023.

Local Law 122 of 2025 formerly known as Int. No. 47-2024

The election of Donald Trump to a second term as President of the United States created an urgency for New Yorkers to address impacts of the criminalization of street vending. The radical actions and expansions of the U.S. Immigrations and Customs Enforcement (ICE) gave legislators and advocates an impetus to quickly move Int. No. 47 independently of the rest of the legislative package. In New York City, street vendors became easy targets since historically, pushcart and street vendors were immigrants who were recent arrivals to the city. Given the context of increased federal immigration enforcement—where ICE agents, sometimes masked, detained individuals on the street, at school, work, or in their homes, and removed them to detention centers both within and outside the U.S., regardless of legal status—it became urgent to change the laws regarding street vending from criminal to civil offenses. In September of 2025, Int. No. 47 was enacted and became Local Law 122 of 2025. The legislation repealed misdemeanor criminal penalties for vending and replaced them with civil penalties. Mayor Eric Adams vetoed the legislation on July 30th, and the New York City Council successfully overrode the veto on September 10th. The effective date for these changes is on March 9, 2026, 180 days after the law was enacted.¹⁷

Int. No. 431-2024

Int. No. 431 will increase the number of available permits and create 1,500 licenses for a 12 month period for five consecutive years. The bill increases the number of available permits by creating additional vendor licenses. It replaces the 445 permits that's to be distributed each year for the remaining six years under the 2021 legislation ([Local Law 18 of 2021](#)).¹⁸ Dating back to the initial oversight and government regulation of vendors in 1906, the demand for licenses always outnumbered the amount of available licenses issued. It is important to note that New York City's population in 1906 was five

¹⁷ [New Laws & Rules | NYC DCWP](#)

¹⁸ [Summary of Int. No. 431-A | New York City Council](#)

million and, in 1979, it was seven million when licenses were capped at 853. The city's current population is 8 - 8 ½ million. The proposed increase of licenses in Int. No. 431 will more adequately address the waitlist backlog.

Int. No. 408-2024

Coupling Int. No. 431 with additional resources and assistance is critical since many services are not currently available to street vendors and Int. No. 431 proposes a sizable increase in the number of available licenses. Int. No. 408 is the companion piece to Int. No. 431 since it mandates SBS to create a Division of Street Vendor Assistance that will provide entrepreneurial training and outreach, as well as workshops on complying with local laws, rules and regulations for all food and general vendors. The creation of such a unit would establish a new culture that could better integrate vendors into the local economy by providing the technical assistance and information needed to help them to flourish. It is essential that newly permitted street vendors obtain the assistance they need to navigate the myriad of existing regulations and creating a unit within SBS is the most efficient way to move forward. Currently, the only city resource available to street vendors is the [NYC Small Business Resource Network](#), funded by all five boroughs' Chambers of Commerce.¹⁹ Only vendors with licenses can access that service.

Int. No. 1251-2024

Under Local Law 18 of 2021, the Department of Health and Mental Hygiene must make a set number of supervisory license applications available to prospective mobile food vendors every year through 2032. However, since not every license application results in a license issued, there may be less supervisory licenses issued in a given year than allotted for. This bill would authorize the department to issue more applications each year, so that up to the fully permitted number supervisory licenses are issued every twelve months.

19 [New 'one-stop shop' network helps NYC small businesses reopen and recover amid COVID-19](#)

Int. No. 24-2024

Lastly, Int. No 24 would amend the current siting rules for vendor cart locations.

Int. No. 947-2024

While [Int. No. 0947-2024](#) is not part of the original Street Vendor Reform Package, the proposed legislation will benefit the agency and vendors. The bill was introduced in June of 2024 and has not had a hearing. The bill would mandate establishing an Office of Street Vendor Enforcement. SBS would be required to work in conjunction with SBS and any other relevant agency to issue quarterly reports containing information about enforcement interactions with street vendors. The current mayoral administration has split street vendor enforcement between multiple agencies including Sanitation, DCWP, along with the Police Department's authority to exercise enforcement in civil and criminal matters. It is common sense for the city to create a unit within SBS, run by the people informed to make recommendations, to review and determine enforcement best practices. The legislation will hopefully be reintroduced in the new legislative session.

Conclusion

In an economic downturn that despite the market has not reduced the rise of predatory rental costs, where even long-term successful restaurants are priced out of their locations while private equity speculates on property for businesses and homes. Building a successful small business is increasingly impossible except for the most wealthy. It is important to note that the capital required to open and maintain a food truck is significantly less of an investment and risk compared with a brick and mortar restaurant. Making Street Vending accessible to the demand is not just good sense. It makes New Yorkers safer and boosts the economy at the same time. The New York City Council should pass the Street Vendor Package of 2024 and continue to review processes to ensure equity and realistic practical guidelines for Street Vendors in the future.²⁰

20 The New York City Council should pass the three remaining bills that comprise the Street Vendor Reform Package before the end of this legislative term. There is one last Stated Council Meeting in this legislative session and the bills can still be scheduled for a vote on December 18th. The three bills have all been laid over in the Committee for Consumer & Worker Protection. Int. No. 431 has 34 co-sponsors which is a veto-proof majority. Int. No. 408 has a majority of Councilmembers as co-sponsors with 27, and Int. No. 24 has 17 co-sponsors.

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ADDENDUM

Local Laws on Street Vending

Local Law 122 of 2025 formerly known as (f/k/a) Int. 47-2024

Introduced by Councilman Shekar Krishnan. This bill was passed by the New York City Council on June 30, 2025. It was vetoed by the Mayor on July 30, 2025 and the New York City Council overrode the veto on September 10, 2025 and repassed the bill. It will take effect in March of 2026—180 days after passage. This bill repeals the misdemeanor criminal penalties for food and general vendors and imposes civil penalties.

Local Law 51 of 2024 f/k/a Int. No. 49-2024

Introduced by Councilwoman Julie Menin and took effect immediately after passage in March of 2025. This law outlines the non-perishable samples that can be displayed by a food vendor, what a general vendor can display, and repealed some of the bookkeeping requirements for vendors.

Local Law 18 of 2018 f/k/a Int. No. 1116-2018

Introduced by Councilwoman Margaret Chin and the law took effect January of 2022. This law created 4450 new food vendor licenses to be released over 10 years at 445 per year, and created an Office of Street Vendor Enforcement, as well as a Street Vendor Advisory Board.

Local Law 9 of 2008 f/k/a Int. 665-2007

Introduced by Councilman Leroy Comrie and took effect in March of 2008. This law established a process for licensing green carts to sell fresh fruits and vegetables, unprocessed and unfrozen. It created 850 new licenses for green carts to be distributed as follows: 250 in the Bronx, 250 in Brooklyn, 150 in Manhattan, 150 in Queens, and 50 in Staten Island.

Local Law 66 of 2005 f/k/a Int. No. 491-2004

Introduced by Councilman Charles Barron and took effect August of 2005. The law amended the vendor license application to prohibit city officers or employees from inquiring or using information about an applicant's immigration status.



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