

# Attention:

## Restaurants

## Delivery Apps

## Delivery Workers

## Consumers

### We Want Your Feedback on the City's Fee Caps

The Department of Consumer and Worker Protection (DCWP) enforces NYC's Third-Party Food Delivery Service Laws, which cap the fees that third-party apps (delivery apps) can charge restaurants. Fee cap amounts are:

- 15% to deliver the order
- 5% to provide service other than delivery and payment processing
- 3%\* to process electronic payment

The laws require DCWP to issue a report on the fee caps.

**To inform our recommendations, we want to learn from you.**

### How You Can Help

- See the back for questions for restaurants, delivery apps, delivery workers, and consumers.
- Please email **[RuleComments@dcwp.nyc.gov](mailto:RuleComments@dcwp.nyc.gov)** by **Friday, May 26, 2023** with your responses and any other comments about your experience.

Thank you!

# Are you a ...

## RESTAURANT

***If you use an app to take customer orders for delivery or pickup, we want to know:***

- How have app fees affected your business?
- Have apps refused service because of the fee caps?
- Have apps charged more than the fee caps?
- Do apps charge per order using a flat fee or some other method?
- What percentage of an order's purchase price do you typically pay an app?
- Do you make a profit from online orders from apps?
- Do you use apps for services other than delivery? If yes, what fees do you pay for other services?
- Is using an app necessary to compete for customers?
- Have you tried to reduce using apps to reduce the fees you pay them?
- Have you declined to use an app because the fees are too high?
- Are the fee caps too high, too low, or about right?

## DELIVERY WORKER

***If you do restaurant deliveries for an app, we want to know:***

- Do the fee caps affect your wages or working conditions?
- Have the fee caps impacted you in any other way?
- Are the fee caps too high, too low, or about right?

## DELIVERY APP

***If you operate any website, mobile application, or other internet service that offers or arranges for the sale and same-day delivery or pickup of food and beverages from an NYC restaurant you do not own, we want to know:***

- How have the fee caps affected your business?
- Do the fee caps affect how much you pay workers or your policies on working conditions?
- Do the fee caps affect the services you offer restaurants for listing, processing, or marketing them?
- Do you charge all restaurants the same fees or does your fee structure differ depending on the restaurant?
- Do you charge restaurants per order using a flat fee or some other method?
- Have you passed costs to consumers because of the fee caps?
- Have you ever declined service to a restaurant because the fees you'd get would be too low?
- Are the fee caps too high, too low, or about right?

## CONSUMER

***If you use a third-party app to order food and beverages from an NYC restaurant for delivery, we want to know:***

- Have you seen any information about fee caps when using an app?
- Do app fees affect how much you tip the delivery worker?
- Do app fees affect if you order online or call a restaurant directly?
- Are the fee caps too high, too low, or about right?