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Go Online:

Visit nyc.gov/BusinessToolbox.
Click Apply for instructions to submit
your license application online.

OR

Scan QR Code:



Electronic Cigarette Retail Dealer License Application Checklist

DO NOT SUBMIT THIS APPLICATION IF YOUR BUSINESS IS OR CONTAINS A PHARMACY.

NYC law prohibits pharmacies and businesses that contain pharmacies from obtaining Electronic Cigarette Retail Dealer licenses.

*****Important: Community District Caps*****

Community district caps for Electronic Cigarette Retail Dealer licenses took effect April 26, 2018. For a list of community district caps and the number of active licenses in each community district, visit NYC Open Data at opendata.cityofnewyork.us and search “electronic cigarette dealer.”

You can submit this application only if:

*(See Key for * and † on Page 2.)*

- Licenses are available in your community district.*
- A business with an Electronic Cigarette Retail Dealer license is sold, someone acquires 10% or more of the shares of the corporation, or there is a change in partnership. You (the new business) may apply for a new license at the same location as long as there is a current, active license in “good standing” at the address AND *you apply for a new license within 30 days of the sale or change.*†
- Your business is located in certain airports or parks that are not subject to the community district caps.†
- You have an active Electronic Cigarette Retail Dealer license at your newsstand location and would like to hold both licenses under the same business name.†

- You hold a Newsstand license that was transferred following the death or disability of the prior license holder and would like to hold the location's Electronic Cigarette Retail Dealer license in your name. The existing Electronic Cigarette Retail Dealer license must be in good standing.[†]

Key:	
*	When licenses are available, DCWP will conduct a lottery. Monitor nyc.gov/dcwp for information, including the process to apply for a lottery.
†	If you meet one of these exceptions to the cap, you must submit the Electronic Cigarette Retail Dealer Cap Exception Certification and supporting documentation. See Requirements section for more information.

Note: DCWP will not issue a license to operate at any residential location.

Monitor nyc.gov/dcwp for updates about community district caps.

Who Must Have an Electronic Cigarette Retail Dealer License?

You must have an Electronic Cigarette Retail Dealer license to sell electronic cigarettes directly to consumers.

An electronic cigarette is a battery-operated device that delivers vapor for inhaling by heating liquid, gel, herb, or other substances, regardless of whether it contains nicotine. Any component part, such as a cartridge or refill, is considered to be an electronic cigarette.

This description is only a general explanation of who must have an Electronic Cigarette Retail Dealer license.

License Requirements

The Department of Consumer and Worker Protection (DCWP) will deny your application if you fail to provide the required documents and information:

- ☐ **Basic License Application**
- ☐ **Sales Tax Identification Number OR Application Confirmation Number**
To apply for a Certificate of Authority to collect sales tax, visit www.businessexpress.ny.gov.

☐ **Electronic Cigarette Retail Dealer Cap Exception Certification and Supporting Documentation, if applicable**

The form lists required supporting documentation for relevant exceptions.

You may email supporting documentation to onlineappsdocs@dcwp.nyc.gov.

Note: If you applied for a lottery and received an offer to apply, you do not need to submit this form.

☐ **New York State Department of Taxation and Finance Vapor Products Dealer Certificate of Registration**

For more information about Vapor Products Dealer Certificate of Registration, visit www.tax.ny.gov/bus/vpt.

☐ **Proof of Business Address**

Submit a copy of ONE of the following documents in the name of either the business or an individual listed on the license application:

- Utility bill, dated within the last 90 days (e.g., telephone, gas, electric, cable, or water) OR
- Current lease or deed OR
- Current rent or mortgage bill OR
- Insurance document or insurance bill that shows your business address OR
- Correspondence from any government agency that shows your business address OR
- Current (active) license or permit or certificate issued by a City/State/Federal government agency that shows your business address OR
- Bank or credit card statement, dated within the last 90 days
Please redact account information.

☐ **Proof of Home Address**

Each individual listed on the license application must provide a copy of ONE of the following documents in the individual's name:

- Utility bill, dated within the last 90 days (e.g., telephone, gas, electric, cable, or water) OR
- Correspondence from any government agency that shows home address OR
- Current lease or deed OR
- Insurance document or insurance bill that shows home address OR
- Current (active) license or permit or certificate issued by a City/State/Federal government agency that shows home address OR
- College or school correspondence that shows home address OR
- Current rent or mortgage bill OR
- Driver's license OR
- Municipal ID card OR
- Bank or credit card statement, dated within the last 90 days
Please redact account information.

For an individual who lives at another person's address, provide:

- ONE Proof of Home Address (see above) with the leaseholder's or homeowner's name AND
- A letter signed by the homeowner or leaseholder stating that the individual lives at the address

☐ **Granting Authority to Act Affirmation**

Required if someone other than the license applicant will prepare and submit this application. The applicant must sign the license application and all related forms.

☐ **License Fee**

License Period: 2 years	Expiration Date: November 30	License Fee: \$200 for full 2 years	
If You File Your Application Between These Dates:		You Will Pay:	Your License Will Expire:
From December 1 to December 31 in an odd year		\$200	November 30 of Odd Years
From January 1 to May 31 in an even year		\$200	November 30 of Odd Years
From June 1 to November 30 in an even year		\$150	November 30 of Odd Years
From December 1 to December 31 in an even year		\$200	November 30 of Even Years
From January 1 to May 31 in an odd year		\$200	November 30 of Even Years
From June 1 to November 30 in an odd year		\$150	November 30 of Even Years

Pay by:

- ☐ Credit card (Visa, MasterCard, American Express, Discover Card only)
(*Online or in person*)
You will be charged a nonrefundable 2% Convenience Fee.
- ☐ eCheck (*Online*)
- ☐ Check or money order payable to DCWP (*In person or by mail*)

Important Message about Business Certificate

You must have the applicable Business Certificate based on your business's legal structure. Although DCWP does not require submission of your Business Certificate in order to process your application, DCWP may request this document under section 20-104 of the New York City Administrative Code.

Sole proprietors operating under a name other than your own must have a Business/Assumed Name Certificate.

Partnerships must have a Partnership Certificate and, if applicable, an Assumed Name Certificate for your business.



Corporations, Limited Partnerships, Limited Liability Companies, or Limited Liability Partnerships must register and remain active with the New York State Division of Corporations. You can check your status at www.dos.ny.gov/corps.

Additional City or State Permits/Licenses/Clearances You May Need

You must have a *Tobacco Retail Dealer* license to sell cigarettes and other tobacco products, such as cigars, chewing tobacco, pipe tobacco, roll-your-own tobacco, snus, bidi, snuff, shisha, or dissolvable tobacco products.

Questions? We're here to help!

- **Email:** TobaccoUnit@dcwp.nyc.gov
- **Phone:** (212) 436-0406. (Monday - Friday, 8 a.m. - 4 p.m.)

Free Interpretation Services are available on-site. To request a disability-related accommodation, visit nyc.gov/dcwp and search "accommodations" or email DCWP's Americans with Disabilities Act (ADA) Coordinator at DCWPADACoordinator@dcwp.nyc.gov.

Additional Resources for Electronic Cigarette Retail Dealers

- For the laws and rules that may affect your business, visit nyc.gov/BusinessToolbox.
- For **Inspection Checklist: Electronic Cigarette Retail Dealers**, visit nyc.gov/BusinessToolbox.
- For resources to help your business open, operate, and grow, visit nyc.gov/business.