



THE CITY OF NEW YORK  
BUSINESS INTEGRITY COMMISSION  
100 CHURCH STREET, 20TH FLOOR  
NEW YORK, NEW YORK 10007

## **INSTRUCTIONS**

### **APPLICATION FOR A PUBLIC WHOLESALE MARKET LOADING LICENSE**

Definitions of terms used in the application are set forth in Title 22, Chapter 1-A of the Administrative Code of the City of New York ("Code") and in Title 66, Chapter, Subchapter B and C of the Rules of the City of New York. Certain of these definitions have been excerpted and attached as Appendix A to the application. Before completing this application, the applicant and all others required to execute documents hereunder should read and familiarize themselves with Title 22 of the Code and the related rules. These instructions are not a substitute for such a complete review and may not be relied on in lieu of the law and rules. Copies of statute and rules are available at the office of the New York City Business Integrity Commission ("Commission").

Attached is the application for a public wholesale loading license. **The applicant business and all of its principals must complete each and every question set forth therein.** If a question is not applicable, write "not applicable" or "N.A.". Applications that have not been completed properly may be denied as incomplete and/or on the basis of the Commission's investigation and review of the incomplete application, or the application may be returned to the applicant without being processed. An application returned as incomplete will not be deemed submitted.

## **DOCUMENTS TO BE SUBMITTED**

In addition to the application form, a number of documents must be submitted to the Commission in order for the application to be considered. The applicant must submit the following documents (to the extent applicable), some of which are described in these instructions, some in the body of the application and attachments, and some in the applicable rules. Samples of some of the required documents include but are not to the following:

- Loading License Application
- Notarized Certifications (on behalf of applicant business and by each principal)
- Notarized Releases (on behalf of applicant business and by each principal)

- Documents related to the organization of the applicant business<sup>1</sup>
- Purchase and Sale Agreements, if applicable
- Documents relating to any forfeiture, receivership or independent monitoring
- Documents relating to contested tax proceeding
- Principal Disclosure (for each principal) along with a \$300 background investigative fee for each principal
- Photograph (for each principal) (at the time the proposal and license application are submitted to the Commission, the Licensing Unit will schedule the taking of the photograph)
- Fingerprint (for each principal) with a fee of \$75.00 in money order made payable to NYS Division of Criminal Justice Services (at the time the proposal and license application are submitted to the Commission, the Licensing Unit will schedule the taking of the fingerprint)

**THE APPLICANT MUST SUBMIT AN ORIGINAL PLUS TWO COPIES OF THE APPLICATION AND ALL DOCUMENTS.**

If you have any questions about the application, please call the Licensing Unit at 212-676-6219.

**Employee's Class A Photo Identification Application**

Also, each employee of the applicant business must submit an Application for a Class A Photo Identification, which, upon approval, permits the employee to work in the public wholesale market for the applicant business. The employee must be fingerprinted and photographed. The \$75 fingerprint fee (check or money order made payable to NYS Division of Criminal Justice Services) and the \$150 background investigation fee must be submitted with the Application for a Class A Photo Identification. The \$20 photo identification fee must be paid when the application is approved.

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<sup>1</sup> If a sole proprietorship, a certified copy of the Certificate of Doing Business filed with the County Clerk.

If a partnership, a certified copy of the Certificate of Partnership filed with the County Clerk and a copy of the current partnership agreement.

If a corporation, a certified copy of the Certificate of Incorporation and copies other current bylaws and last annual report, including financial statement.

## **LOADING LICENSE APPLICATION**

Each page submitted by the applicant must contain in the lower left hand corner the applicant's social security<sup>2</sup> or tax identification number and each page must be numbered sequentially as "Page \_\_ of \_\_ pages" (e.g., if a twenty-five page application were submitted, the first page would be marked: "Page 1 of 25 pages").

Applicant requiring additional space to complete any answer may attach additional pages to the application. Indicate on the top of each such additional page, the Part and question number to which the additional page relates. The Schedules in the application also may be copied if additional schedule pages are needed. All additional pages and Schedules also must be identified in the lower left-hand corner with the applicant's social security or tax identification number. Each added page must be numbered sequentially like the rest of the application (e.g., "Page \_\_ of \_\_ pages").

The applicant is under a continuing obligation to update answers to application questions marked with an asterisk (\*). Any change in the answer to such a question, must be provided to the Commission in writing, as specifically set forth in Title 22, Chapters 1-A and 1-B of the Code and the rules promulgated thereunder, or otherwise no later than thirty (30) days after the change occurs. The applicant's continuing obligation begins upon submission of the registration application and extends throughout the processing period and any license term.

## **NOTARIZED CERTIFICATIONS**

Upon completion of the application and all of its attachments, two documents must be executed by both the applicant business and each principal: a notarized certification form and a notarized release form. Principals of the applicant business must separately provide disclosures as noted below.

## **DISCLOSURE FORMS FOR INDIVIDUALS**

Each principal, as that term is defined, must complete a personal disclosure form. Principals must complete the "Principal Disclosure Form" and the notarized certification attached to the Principal Disclosure Form (in addition to the notarized certification for the license application itself).

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<sup>2</sup>Section 1-24 of Subchapter 1-B of Title 66 of the Rules of the City of New York requires that responses to requests for licensing proposals include the social numbers of the applicant. These social security numbers may be used to locate information concerning the applicant. Refusal to provide these numbers is not grounds for refusal to issue a license.

## **FINGERPRINTS AND PHOTOGRAPHS**

All principals of the applicant business must be photographed and fingerprinted by the Commission. The Licensing Unit of the Commission will schedule principals to be photographed and fingerprinted.

## **ISSUANCE OF A LOADING LICENSE**

If the applicant business is selected to provide loading services, before a loading license is issued, the applicant must:

- Pay a license fee of \$1,000 for a 2 year period, and
- Submit proof that the insurance policies<sup>3</sup> required in Title 66, Chapter 1, Subchapter B, Section 1-25(g) have been secured:
  - Workers' compensation and disability benefits coverage, or proof of exemption
  - Liability insurance against claims for injuries to persons or damage to property
  - Commercial General Liability Insurance with liability limits of no less than \$500,000 combined single limit per occurrence for bodily injury, personal and property damage. The maximum deductible for such insurance shall be no more than \$25,000
  - Business Automobile Liability Insurance covering every vehicle operated by the licensee's business, whether or not owned by the licensee, and every vehicle hired by the licensee with liability limits of no less than one million dollars (\$1,000,000) combined single limit per accident for bodily injury and property damage.
  - Employers' Liability Insurance with limits of \$1,000,000 per accident.

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<sup>3</sup> The policy or policies of insurance required by Title 66, Chapter 1, Section 1-25 of the Rules of the City of New York shall name the City of New York and the Business Integrity Commission shall be endorsed to state that coverage shall not be suspended, voided, canceled, reduced in coverage or in limits except upon sixty days prior written notice to the Commission. Failure to maintain continuous insurance coverage meeting the requirements of these rules will result in automatic cancellation of the license. Such policy or policies of insurance shall be obtained from a company, or companies, duly authorized to do business in the State of New York with a Best's rating of no less than A:X unless specific approval has been granted by the Mayor's Office of Operations to accept a company with a lower rating. Two certificates of insurance effecting the required coverage and signed by a person authorized by the insurer to bind coverage on its behalf, must be delivered to the Commission prior to the effective date of the license.