STATE OF NEW YORK

9213

2025-2026 Regular Sessions

IN ASSEMBLY

November 3, 2025

Introduced by M. of A. CONRAD -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring operators of bicycles with electric assist, electric scooters, and motor-driven cycles wear protective head gear

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 5-c of section 1238 of the vehicle and traffic law, as added by section 5 of part XX of chapter 58 of the laws of 2020, is amended to read as follows:

5-c. No person shall ride upon, propel or otherwise operate a [~~class three~~] bicycle with electric assist unless such person is wearing a helmet meeting standards established by the commissioner. For the purposes of this subdivision, wearing a helmet means having a properly fitting helmet fixed securely on the head of such wearer with the helmet straps securely fastened.

§ 2. Subdivision 1 of section 1286 of the vehicle and traffic law, as added by section 10 of part XX of chapter 58 of the laws of 2020, is amended to read as follows:

1. No person [~~sixteen or seventeen years of age~~] shall ride upon, propel or otherwise operate an electric scooter unless such person is wearing a helmet meeting standards established by the commissioner pursuant to the provisions of subdivision two-a of section twelve hundred thirty-eight of this title. As used in this subdivision, wearing a helmet means having a properly fitting helmet fixed securely on the head of such wearer with the helmet straps securely fastened.

§ 3. The vehicle and traffic law is amended by adding a new section 123-a to read as follows:

§ 123-a. Motor-driven cycle. Every motor vehicle having:

(a) a seat or saddle for the use of the operator;

(b) two or three wheels in contact with the ground;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) an internal combustion engine, or electric, solar or hybrid motor which will propel the vehicle unassisted at a maximum speed no greater than thirty miles per hour. If such vehicle is equipped with an internal combustion engine, such engine's piston or rotor displacement shall not exceed fifty cubic centimeters. A motor-driven cycle shall be a limited use motorcycle or motorcycle when operated at speeds in excess of thirty miles per hour and the operator shall be required to have in such operator's possession a valid class D, DJ, M or MJ license, as the case may be; and

(d) a direct or automatic power drive system which requires no clutch or gear shift operation by the operator after the drive system is engaged with the engine or motor.

§ 4. The article heading of article 34 of the vehicle and traffic law, as amended by chapter 694 of the laws of 1995, is amended and a new section 1244 is added to read as follows:

OPERATION OF BICYCLES [~~AND~~], PLAY DEVICES AND MOTOR-DRIVEN CYCLES

§ 1244. Motor-driven cycle operators to wear protective headgear. No person shall ride upon, propel or otherwise operate a motor-driven cycle unless such person is wearing a helmet meeting standards established by the commissioner. For the purposes of this section, wearing a helmet means having a properly fitting helmet fixed securely on the head of such wearer with the helmet straps securely fastened.

§ 5. This act shall take effect on the ninetieth day after it shall have become a law.