

STATE OF NEW YORK

139--A

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to bicycle delivery worker insurance personal injury liability insurance

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

1 Section 1. The insurance law is amended by adding a new section 2354
2 to read as follows:

3 § 2354. Bicycle delivery worker insurance personal injury liability
4 insurance. (a) As used in this section:

5 (1) "bicycle delivery contractor" means a person, corporation, part-
6 nership, sole proprietorship, or other entity that is operating in New
7 York state using a digital network to connect BEA delivery recipients to
8 bicycle with electric assist delivery workers;

9 (2) "digital network" means any third-party courier service offered or
10 utilized by a bicycle delivery contractor using a mobile phone app or
11 website that enables bicycle delivery contractor deliveries with bicycle
12 with electric assist delivery workers;

13 (3) "third-party courier service" means a website, mobile application
14 or other internet service that offers or arranges for the sale or deliv-
15 ery of retail goods, including food, and the same-day delivery or same-
16 day pickup of retail goods, including food, from a retail establishment
17 located in the state;

18 (4) "bicycle with electric assist delivery workers" or "BEA delivery
19 workers" means an individual who:

20 (i) receives connections to potential BEA delivery recipients and
21 related services from a bicycle delivery contractor; and

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

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1 (ii) uses a bicycle with electric assist as defined in section one
2 hundred two-c of the vehicle and traffic law or an electric scooter as
3 defined in section one hundred fourteen-e of the vehicle and traffic law
4 to offer or provide a prearranged delivery to BEA delivery recipients
5 through a digital network controlled by a bicycle delivery contractor in
6 exchange for compensation or payment of a fee;

7 (5) "bicycle with electric assist delivery recipients" or "BEA deliv-
8 ery recipients" means a person or persons who use a bicycle delivery
9 contractor's digital network to connect with a BEA delivery worker who
10 provides delivery of food or other items to points chosen by the BEA
11 delivery recipient; and

12 (6) "bicycle delivery contractor prearranged trip" or "trip" means the
13 provision of delivery by a BEA delivery worker to a passenger provided
14 through the use of a bicycle delivery contractor's digital network:

15 (i) beginning when a BEA delivery worker accepts a BEA delivery recip-
16 ient's request for a delivery through a digital network controlled by a
17 bicycle delivery contractor;

18 (ii) continuing while the BEA delivery worker transports the requested
19 items on a bicycle with electric assist; and

20 (iii) ending when the last requested item is dropped off from the
21 bicycle with electric assist and marked as completed by a BEA delivery
22 worker on the digital network.

23 (b) (i) All bicycle delivery contractors must provide personal injury
24 liability insurance as defined in paragraph thirteen of subsection (a)
25 of section one thousand one hundred thirteen of this chapter to compen-
26 sate persons injured by a BEA delivery worker while such worker is
27 undergoing a trip, at no more than twenty thousand dollars per incident
28 involving a BEA delivery worker.

29 (ii) Insurance purchased through this policy will be primary over
30 other applicable insurance policies and shall not include no-fault
31 coverage.

32 (iii) The insurance policy must be written by an insurer licensed to
33 write insurance in this state or procured by a duly licensed excess line
34 broker pursuant to section two thousand one hundred eighteen of this
35 chapter.

36 (c) All bicycle delivery contractors must provide notice to BEA deliv-
37 ery workers that they provide personal injury liability insurance. A
38 bicycle delivery contractor must also post this notice on its website in
39 a prominent place and provide contact information for the department.

40 (d) The superintendent is authorized to promulgate such rules and
41 regulations to implement this section, including regulations to address
42 insurance coverage under this section when a BEA delivery worker uses
43 multiple digital networks simultaneously.

44 § 2. This act shall take effect on the one hundred eightieth day after
45 it shall have become a law.