

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the operation of scooters

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 5-b of section 1238 of the vehicle and traffic  
2 law, as added by chapter 402 of the laws of 2001, is amended to read as  
3 follows:

4 5-b. (A) NO PERSON LESS THAN EIGHT YEARS OF AGE SHALL RIDE UPON,  
5 PROPEL OR OTHERWISE OPERATE A TWO-WHEELED VEHICLE COMMONLY CALLED A  
6 SCOOTER UNDER ANY CIRCUMSTANCES UNLESS SUPERVISED BY A PARENT OR GUARDI-  
7 AN AND UNLESS SUCH PERSON IS WEARING A HELMET MEETING STANDARDS ESTAB-  
8 LISHED BY THE COMMISSIONER.

9 (B) No person, EIGHT OR MORE YEARS OF AGE AND less than fourteen years  
10 of age shall ride upon, propel or otherwise operate a two-wheeled vehi-  
11 cle commonly called a scooter unless such person is wearing a helmet  
12 meeting standards established by the commissioner. As used in this  
13 subdivision, wearing a helmet means having a properly fitting helmet  
14 fixed securely on the head of such wearer with the helmet straps secure-  
15 ly fastened.

16 (C) FOR PURPOSES OF THIS SUBDIVISION, SCOOTER MEANS A NON-MOTORIZED  
17 DEVICE CONSISTING OF TWO OR MORE WHEELS AFFIXED TO A PLATFORM OR FOOT  
18 BOARD UPON WHICH A RIDER STANDS AND HAS A HANDLE OR OTHER MECHANISM FOR  
19 HOLDING OR GUIDING THE DEVICE.

20 S 2. This act shall take effect on the first of July next succeeding  
21 the date on which it shall have become a law.

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

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