S T A T E O F N E W Y O R K

67

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:

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

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

(B) No person, EIGHT OR MORE YEARS OF AGE AND less than fourteen years of age shall ride upon, propel or otherwise operate a two-wheeled vehicle commonly called a scooter unless such person is wearing a helmet meeting standards established by the commissioner. 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.

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

S 2. This act shall take effect on the first of July next succeeding 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.

LBD01943-01-9