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

8643

I N A S S E M B L Y

January 7, 2016

Introduced by M. of A. ORTIZ -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to the sale of electronically motorized boards

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

Section 1. The general business law is amended by adding a new section 391-u to read as follows:

S 391-U. SALE OF ELECTRONICALLY MOTORIZED BOARDS. 1. NO ELECTRONICALLY MOTORIZED BOARD MANUFACTURED OR ASSEMBLED ON OR AFTER JANUARY FIRST, TWO THOUSAND SEVENTEEN SHALL BE SOLD IN THIS STATE UNLESS SUCH ELECTRONICALLY MOTORIZED BOARD IS MANUFACTURED OR ASSEMBLED IN COMPLIANCE WITH RULES AND REGULATIONS PROMULGATED BY THE COMMISSIONER PURSUANT TO SUBDIVISION TWO OF THIS SECTION.

2. THE COMMISSIONER OF THE DEPARTMENT OF MOTOR VEHICLES SHALL PROMULGATE RULES AND REGULATIONS PERTAINING TO SAFETY STANDARDS AND WARNING LABELS THAT SHALL GOVERN THE MANUFACTURE, ASSEMBLY AND DISTRIBUTION OF ELECTRONICALLY MOTORIZED BOARDS UNTIL SUCH TIME AS THE FEDERAL CONSUMER PRODUCT SAFETY COMMISSION OR ANY SUCCESSOR COMMISSION OR AGENCY MAY PROMULGATE SUCH RULES AND REGULATIONS.

3. AN ELECTRONICALLY MOTORIZED BOARD SHALL ONLY BE SOLD TO AN INDIVIDUAL HAVING ATTAINED THE AGE OF FIFTEEN. AN ELECTRONICALLY MOTORIZED BOARD SHALL BE OPERATED ONLY BY A PERSON WHO IS FIFTEEN YEARS OF AGE OR OLDER.

4. FOR THE PURPOSES OF THIS SECTION, THE TERM "ELECTRONICALLY MOTORIZED BOARD" SHALL MEAN ANY WHEELED DEVICE THAT HAS A FLOORBOARD DESIGNED TO BE STOOD UPON WHEN RIDING THAT IS NOT GREATER THAN SIXTY INCHES DEEP AND EIGHTEEN INCHES WIDE, IS DESIGNED TO TRANSPORT ONLY ONE PERSON, AND HAS AN ELECTRIC PROPULSION SYSTEM AVERAGING LESS THAN ONE THOUSAND WATTS, THE MAXIMUM SPEED OF WHICH, WHEN POWERED SOLELY BY A PROPULSION SYSTEM ON A PAVED LEVEL SURFACE, IS NO MORE THAN TWENTY MILES PER HOUR. THE DEVICE MAY BE DESIGNED TO ALSO BE POWERED BY HUMAN PROPULSION.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided, however,

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

that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such date.