STATE OF NEW YORK

5482--A

2017-2018 Regular Sessions

IN SENATE

March 31, 2017

Introduced by Sen. O'MARA -- 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 general business law, in relation to labeling requirements for electric assisted bicycles

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 399-ggg to read as follows:

§ 399-ggg. Labeling of electric assisted bicycles. 1. No person, firm, or corporation shall sell or offer for sale any electric assisted bicycle unless there is printed on the package in which such electric assisted bicycle is sold or offered for sale a conspicuous notice stating "The operation of electric assisted bicycles on public highways and roads is illegal in the State of New York. Operation of an electric assisted bicycle on a public sidewalk is possibly illegal. Please check your local municipal laws, rules, regulations, or codes regarding usage of this bicycle on public sidewalks."

2. For purposes of this section, the following terms shall have the following meanings:

(a) "Public highway" shall have the same meaning as defined in section one hundred thirty-four of the vehicle and traffic law.

(b) "Sidewalk" shall have the same meaning as defined in section one hundred forty-four of the vehicle and traffic law.

(c) "Electric assisted bicycle" shall mean a bicycle with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor. The electric assisted bicycle's electric motor shall: have a power output of less than seven hundred fifty watts; have a maximum speed of less than twenty miles per hour on a paved level surface when powered solely by such a motor while ridden

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

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by an operator who weighs one hundred seventy pounds; and be incapable of further increasing the speed of the device when human power is used to propel the device at or more than twenty miles per hour.

3. Any violation of this section shall be punishable by a civil penalty not to exceed five hundred dollars.

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