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2017-2018 Regular Sessions

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Introduced by Sens. O'MARA, DILAN, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, the highway law and the general municipal law, in relation to the regulation of electric assisted bicycles

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 102-c to read as follows:

3 § 102-c. Electric assisted bicycle. A bicycle equipped with fully
4 operable pedals and an electric motor with an output of less than seven
5 hundred fifty watts (one horsepower) whereby such electric motor engages
6 only when the operator is pedaling and disengages or ceases to function
7 when such bicycle's brakes are applied, the operator stops pedaling, or
8 such bicycle achieves a speed of twenty miles per hour or more.

9 § 2. Section 121-b of the vehicle and traffic law, as amended by chap-
10 ter 160 of the laws of 1981, is amended to read as follows:

11 § 121-b. Limited use motorcycle. A limited use vehicle having only two
12 or three wheels, with a seat or saddle for the operator, except electric
13 assisted bicycles as defined in section one hundred two-c of this arti-
14 cle. A limited use motorcycle having a maximum performance speed[7] of
15 more than thirty miles per hour but not more than forty miles per hour
16 shall be a class A limited use motorcycle. A limited use motorcycle
17 having a maximum performance speed of more than twenty miles per hour
18 but not more than thirty miles per hour, shall be a class B limited use
19 motorcycle. A limited use motorcycle having a maximum performance speed

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

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1 of not more than twenty miles per hour shall be a class C limited use
2 motorcycle.

3 § 3. Section 125 of the vehicle and traffic law, as amended by chapter
4 365 of the laws of 2008, is amended to read as follows:

5 § 125. Motor vehicles. Every vehicle operated or driven upon a public
6 highway which is propelled by any power other than muscular power,
7 except (a) electrically-driven mobility assistance devices operated or
8 driven by a person with a disability, (a-1) electric personal assistive
9 mobility devices operated outside a city with a population of one
10 million or more, (b) vehicles which run only upon rails or tracks, (c)
11 snowmobiles as defined in article forty-seven of this chapter, [~~and~~] (d)
12 all terrain vehicles as defined in article forty-eight-B of this
13 chapter, and (e) electric assisted bicycles as defined in section one
14 hundred two-c of this article. For the purposes of title four of this
15 chapter, the term motor vehicle shall exclude fire and police vehicles
16 other than ambulances. For the purposes of titles four and five of this
17 chapter the term motor vehicles shall exclude farm type tractors and all
18 terrain type vehicles used exclusively for agricultural purposes, or for
19 snow plowing, other than for hire, farm equipment, including self-pro-
20 pelled machines used exclusively in growing, harvesting or handling farm
21 produce, and self-propelled caterpillar or crawler-type equipment while
22 being operated on the contract site.

23 § 4. Section 159 of the vehicle and traffic law is amended to read as
24 follows:

25 § 159. Vehicle. Every device in, upon, or by which any person or prop-
26 erty is or may be transported or drawn upon a highway, except devices
27 moved by human power or used exclusively upon stationary rails or tracks
28 and electric assisted bicycles as defined in section one hundred two-c
29 of this article.

30 § 5. Section 1230 of the vehicle and traffic law, subdivision (b) as
31 amended by chapter 694 of the laws of 1995, is amended to read as
32 follows:

33 § 1230. Effect of regulations. (a) The parent of any child and the
34 guardian of any ward shall not authorize or knowingly permit any such
35 child or ward to violate any of the provisions of this article.

36 (b) These regulations applicable to bicycles, electric assisted bicy-
37 cles, or to in-line skates shall apply whenever a bicycle or electric
38 assisted bicycle is, or in-line skates are, operated upon any highway,
39 upon private roads open to public motor vehicle traffic and upon any
40 path set aside for the exclusive use of bicycles, electric assisted
41 bicycles, or in-line skates, or [~~both~~] all.

42 § 6. Section 1231 of the vehicle and traffic law, as amended by chap-
43 ter 694 of the laws of 1995, is amended to read as follows:

44 § 1231. Traffic laws apply to persons riding bicycles or electric
45 assisted bicycles or skating or gliding on in-line skates. Every person
46 riding a bicycle or electric assisted bicycle or skating or gliding on
47 in-line skates upon a roadway shall be granted all of the rights and
48 shall be subject to all of the duties applicable to the driver of a
49 vehicle by this title, except as to special regulations in this article
50 and except as to those provisions of this title which by their nature
51 can have no application.

52 § 7. Section 1232 of the vehicle and traffic law is amended to read as
53 follows:

54 § 1232. Riding on bicycles and electric assisted bicycles. (a) A
55 person propelling a bicycle or electric assisted bicycle shall not ride

1 other than upon or astride a permanent and regular seat attached there-
2 to, nor shall he ride with his feet removed from the pedals.

3 (b) No bicycle or electric assisted bicycle shall be used to carry
4 more persons at one time than the number for which it is designed and
5 equipped.

6 § 8. The vehicle and traffic law is amended by adding a new section
7 1232-a to read as follows:

8 § 1232-a. Additional requirements for operating an electric assisted
9 bicycle. (a) No person shall operate or park an electric assisted bicy-
10 cle on any public highway or street in this state unless a label is
11 permanently affixed, in a prominent location, on such person's electric
12 assisted bicycle. Such label shall contain the maximum speed, and motor
13 wattage of the electric assisted bicycle, and shall be printed in arial
14 font in at least nine-point type. On and after January first, two thou-
15 sand nineteen, manufacturers and distributors of electric assisted bicy-
16 cles shall apply a label that is permanently affixed, in a prominent
17 location, to each electric assisted bicycle. The label shall contain the
18 top assisted speed, and motor wattage of electric assisted bicycle, and
19 shall be printed in arial font in at least nine-point type.

20 (b) No person shall knowingly and intentionally render any label,
21 required by subdivision (a) of this section to be affixed to an electric
22 assisted bicycle, permanently illegible.

23 (c) Every manufacturer of an electric assisted bicycle shall certify,
24 at a minimum, that it complies with the equipment and manufacturing
25 requirements for bicycles adopted by the United States consumer product
26 safety commission (16 C.F.R. 1512.1, et seq.).

27 § 9. Subdivision 1 of section 1233 of the vehicle and traffic law, as
28 amended by chapter 703 of the laws of 2004, is amended to read as
29 follows:

30 1. No person riding upon any bicycle, electric assisted bicycle,
31 coaster, in-line skates, roller skates, skate board, sled, or toy vehi-
32 cle shall attach the same or himself or herself to any vehicle being
33 operated upon a roadway.

34 § 10. Section 1234 of the vehicle and traffic law, as amended by chap-
35 ter 16 of the laws of 1996, is amended to read as follows:

36 § 1234. Riding on roadways, shoulders, bicycle, electric assisted
37 bicycle or in-line skate lanes and bicycle or in-line skate paths. (a)
38 Upon all roadways, any bicycle, electric assisted bicycle or in-line
39 skate shall be driven either on a usable bicycle or in-line skate lane
40 or, if a usable bicycle or in-line skate lane has not been provided,
41 near the right-hand curb or edge of the roadway or upon a usable right-
42 hand shoulder in such a manner as to prevent undue interference with the
43 flow of traffic except when preparing for a left turn or when reasonably
44 necessary to avoid conditions that would make it unsafe to continue
45 along near the right-hand curb or edge. Conditions to be taken into
46 consideration include, but are not limited to, fixed or moving objects,
47 vehicles, bicycles, electric assisted bicycles, in-line skates, pedes-
48 trians, animals, surface hazards or traffic lanes too narrow for a bicy-
49 cle, or electric assisted bicycle or person on in-line skates and a
50 vehicle to travel safely side-by-side within the lane.

51 (b) Persons riding bicycles or electric assisted bicycles or skating
52 or gliding on in-line skates upon a roadway shall not ride more than two
53 abreast. Persons riding bicycles or electric assisted bicycles or skat-
54 ing or gliding on in-line skates upon a shoulder, bicycle or in-line
55 skate lane, or bicycle or in-line skates path, intended for the use of
56 bicycles or in-line skates may ride two or more abreast if sufficient

1 space is available, except that when passing a vehicle, bicycle, elec-
2 tric assisted bicycle or person on in-line skates, or pedestrian, stand-
3 ing or proceeding along such shoulder, lane or path, persons riding
4 bicycles or electric assisted bicycles or skating or gliding on in-line
5 skates shall ride, skate, or glide single file. Persons riding bicycles
6 or electric assisted bicycles or skating or gliding on in-line skates
7 upon a roadway shall ride, skate, or glide single file when being over-
8 taken by a vehicle.

9 (c) Any person operating a bicycle or electric assisted bicycle or
10 skating or gliding on in-line skates who is entering the roadway from a
11 private road, driveway, alley or over a curb shall come to a full stop
12 before entering the roadway.

13 § 11. Section 1235 of the vehicle and traffic law, as amended by chap-
14 ter 703 of the laws of 2004, is amended to read as follows:

15 § 1235. Carrying articles. No person operating a bicycle or electric
16 assisted bicycle shall carry any package, bundle, or article which
17 prevents the driver from keeping at least one hand upon the handle bars.
18 No person skating or gliding on in-line skates shall carry any package,
19 bundle, or article which obstructs his or her vision in any direction.
20 No person operating a skate board shall carry any package, bundle, or
21 article which obstructs his or her vision in any direction.

22 § 12. Section 1236 of the vehicle and traffic law, subdivision (a) as
23 amended by chapter 16 of the laws of 2009 and subdivisions (d) and (e)
24 as added by chapter 887 of the laws of 1976, is amended to read as
25 follows:

26 § 1236. Lamps and other equipment on bicycles and electric assisted
27 bicycles. (a) Every bicycle or electric assisted bicycle when in use
28 during the period from one-half hour after sunset to one-half hour
29 before sunrise shall be equipped with a lamp on the front which shall
30 emit a white light visible during hours of darkness from a distance of
31 at least five hundred feet to the front and with a red or amber light
32 visible to the rear for three hundred feet. Effective July first, nine-
33 teen hundred seventy-six, at least one of these lights shall be visible
34 for two hundred feet from each side.

35 (b) No person shall operate a bicycle or electric assisted bicycle
36 unless it is equipped with a bell or other device capable of giving a
37 signal audible for a distance of at least one hundred feet, except that
38 a bicycle or electric assisted bicycle shall not be equipped with nor
39 shall any person use upon a bicycle or electric assisted bicycle any
40 siren or whistle.

41 (c) Every bicycle or electric assisted bicycle shall be equipped with
42 a brake which will enable the operator to make the braked wheels skid on
43 dry, level, clean pavement, provided, however, such brake of an electric
44 assisted bicycle shall also operate in a manner so that the electric
45 motor is disengaged or ceases to function when the brake is applied.

46 (d) Every new bicycle or electric assisted bicycle shall be equipped
47 with reflective tires or, alternately, a reflex reflector mounted on the
48 spokes of each wheel, said tires and reflectors to be of types approved
49 by the commissioner. The reflex reflector mounted on the front wheel
50 shall be colorless or amber, and the reflex reflector mounted on the
51 rear wheel shall be colorless or red.

52 (e) Every bicycle or electric assisted bicycle when in use during the
53 period from one-half hour after sunset to one-half hour before sunrise
54 shall be equipped with reflective devices or material meeting the stand-
55 ards established by rules and regulations promulgated by the commission-
56 er; provided, however, that such standards shall not be inconsistent

1 with or otherwise conflict with the requirements of subdivisions (a) and
2 (d) of this section.

3 § 13. Section 1238 of the vehicle and traffic law, as amended by chap-
4 ter 267 of the laws of 1993, paragraph (a) of subdivision 2 and para-
5 graphs (a) and (b) of subdivision 5 as amended by chapter 457 of the
6 laws of 1999, subdivisions 2-a, 5-a, 9 and 10 and paragraph (c) of
7 subdivision 6 as amended by chapter 703 of the laws of 2004, subdivision
8 5 as amended by chapter 132 of the laws of 1994, subdivision 5-b as
9 added and paragraph (a) of subdivision 6 as amended by chapter 402 of
10 the laws of 2001 and subdivision 8 as amended by chapter 694 of the laws
11 of 1995, is amended to read as follows:

12 § 1238. Passengers on bicycles or electric assisted bicycles under one
13 year of age prohibited; passengers and operators under fourteen years of
14 age to wear protective headgear. 1. No person operating a bicycle or
15 electric assisted bicycle shall allow a person who is under one year of
16 age to ride as a passenger on a bicycle or electric assisted bicycle nor
17 shall such person be carried in a pack fastened to the operator. A first
18 violation of the provisions of this subdivision shall result in no fine.
19 A second violation shall result in a civil fine not to exceed fifty
20 dollars.

21 2. No person operating a bicycle or electric assisted bicycle shall
22 allow a person one or more years of age and less than five years of age
23 to ride as a passenger on a bicycle or electric assisted bicycle unless:

24 (a) such passenger is wearing a helmet meeting standards established
25 by the commissioner. For the purposes of this subdivision wearing a
26 helmet means having a helmet of good fit fastened securely upon the head
27 with the helmet straps; and

28 (b) such passenger is placed in a separate seat attached to the bicy-
29 cle or electric assisted bicycle and such seat shall have adequate
30 provision for retaining the passenger in place and for protecting the
31 passenger from the moving parts of the bicycle or electric assisted
32 bicycle.

33 2-a. The commissioner shall promulgate rules and regulations estab-
34 lishing standards for helmets required to be worn while bicycling,
35 in-line skating, or operating a skate board. Such standards, to the
36 extent practicable, shall reflect the standards recommended by the Snell
37 Memorial Foundation, Safety Equipment Institute, or United States
38 Consumer Product Safety Commission.

39 3. Any person who violates the provisions of subdivision two of this
40 section shall pay a civil fine not to exceed fifty dollars.

41 4. The court shall waive any fine for which a person who violates the
42 provisions of paragraph (a) of subdivision two of this section would be
43 liable if such person supplies the court with proof that between the
44 date of violation and the appearance date for such violation such person
45 purchased or rented a helmet, which meets the requirements of paragraph
46 (a) of subdivision two of this section. Further, the court shall waive
47 any fine for which a person who violates the provisions of paragraph (b)
48 of subdivision two of this section would be liable if such person
49 supplies the court with proof that between the date of violation and the
50 appearance date for such violation such person purchased or rented a
51 seat which meets the requirements of paragraph (b) of subdivision two of
52 this section. The court may waive any fine for which a person who
53 violates the provisions of subdivision two of this section would be
54 liable if the court finds that due to reasons of economic hardship such
55 person was unable to purchase a helmet or seat. Such waiver of fine

1 shall not apply to a second or subsequent conviction under paragraph (a)
2 or (b) of subdivision two of this section.

3 5. (a) No person operating a bicycle or electric assisted bicycle
4 shall allow a person five or more years of age and less than fourteen
5 years of age to ride as a passenger on a bicycle or electric assisted
6 bicycle unless such passenger is wearing a helmet meeting standards
7 established by the commissioner.

8 (b) No person, one or more years of age and less than fourteen years
9 of age, shall operate a bicycle or electric assisted bicycle unless such
10 person is wearing a helmet meeting standards established by the commis-
11 sioner.

12 (c) For the purposes of this subdivision wearing a helmet means having
13 a helmet of good fit fastened securely upon the head with the helmet
14 straps.

15 5-a. No person, one or more years of age and less than fourteen years
16 of age, shall skate or glide on in-line skates or a skate board unless
17 such person is wearing a helmet meeting standards established by the
18 commissioner. For the purposes of this subdivision, wearing a helmet
19 means having a helmet of good fit fastened securely on the head of such
20 wearer with the helmet straps securely fastened.

21 5-b. No person less than fourteen years of age shall ride upon, propel
22 or otherwise operate a two-wheeled vehicle commonly called a scooter
23 unless such person is wearing a helmet meeting standards established by
24 the commissioner. As used in this subdivision, wearing a helmet means
25 having a properly fitting helmet fixed securely on the head of such
26 wearer with the helmet straps securely fastened.

27 6. (a) Any person who violates the provisions of subdivision five,
28 five-a or five-b of this section shall pay a civil fine not to exceed
29 fifty dollars.

30 (b) The court shall waive any fine for which a person who violates the
31 provisions of subdivision five of this section would be liable if such
32 person supplies the court with proof that between the date of violation
33 and the appearance date for such violation such person purchased or
34 rented a helmet.

35 (c) The court may waive any fine for which a person who violates the
36 provisions of subdivision five, five-a, or five-b of this section would
37 be liable if the court finds that due to reasons of economic hardship
38 such person was unable to purchase a helmet or due to such economic
39 hardship such person was unable to obtain a helmet from the statewide
40 in-line skate and bicycle helmet distribution program, as established in
41 section two hundred six of the public health law, or a local distrib-
42 ution program.

43 7. The failure of any person to comply with the provisions of this
44 section shall not constitute contributory negligence or assumption of
45 risk, and shall not in any way bar, preclude or foreclose an action for
46 personal injury or wrongful death by or on behalf of such person, nor in
47 any way diminish or reduce the damages recoverable in any such action.

48 8. A police officer shall only issue a summons for a violation of
49 subdivision two, five, or five-a of this section by a person less than
50 fourteen years of age to the parent or guardian of such person if the
51 violation by such person occurs in the presence of such person's parent
52 or guardian and where such parent or guardian is eighteen years of age
53 or more. Such summons shall only be issued to such parent or guardian,
54 and shall not be issued to the person less than fourteen years of age.

55 9. Subdivisions five, five-a, five-b, and six of this section shall
56 not be applicable to any county, city, town or village that has enacted

1 a local law or ordinance prior to the effective date of this subdivision
2 that prohibits a person who is one or more years of age and less than
3 fourteen years of age from operating a bicycle, electric assisted bicy-
4 cle or skating or gliding on in-line skates or a skate board without
5 wearing a bicycle helmet meeting the standards of the American National
6 Standards Institute (Ansi Z 90.4 bicycle helmet standards), the Snell
7 Memorial Foundation's Standards for Protective Headgear for use in Bicy-
8 cling, or the American Society of Testing and Materials (ASTM) bike
9 helmet standards, or that prohibits a person operating a bicycle or
10 electric assisted bicycle from allowing a person five or more years of
11 age and less than fourteen years of age to ride as a passenger on a
12 bicycle or electric assisted bicycle unless such passenger is wearing a
13 bicycle helmet that meets such standards. The failure of any person to
14 comply with any such local law or ordinance shall not constitute contri-
15 butory negligence or assumption of risk, and shall not in any way bar,
16 preclude or foreclose an action for personal injury or wrongful death by
17 or on behalf of such person, nor in any way diminish or reduce the
18 damages recoverable in any such action. The legislative body of a coun-
19 ty, city, town or village may enact a local law or ordinance that
20 prohibits a person who is fourteen or more years of age from skating or
21 gliding on in-line skates, operating a skate board, or operating or
22 riding as a passenger on a bicycle or electric assisted bicycle without
23 wearing a bicycle helmet.

24 10. No person shall skate or glide on in-line skates or a skate board
25 outside during the period of time between one-half hour after sunset and
26 one-half hour before sunrise unless such person is wearing readily visi-
27 ble reflective clothing or material which is of a light or bright color.

28 § 14. Section 1240 of the vehicle and traffic law, as added by chapter
29 468 of the laws of 2001, is amended to read as follows:

30 § 1240. Leaving the scene of an incident involving a [~~wheeled non-mo-~~
31 ~~torized means of conveyance~~] bicycle, electric assisted bicycle, in-line
32 skate, roller skate or skate board without reporting in the second
33 degree. 1. Any person age eighteen years or older operating a [~~wheeled~~
34 ~~non-motorized means of conveyance, including, but not limited to bicy-~~
35 ~~cles,~~] bicycle, electric assisted bicycle, in-line [~~skates~~] skate, roll-
36 er [~~skates and~~] skate or skate [~~boards~~] board, who, knowing or having
37 cause to know, that physical injury, as defined in subdivision nine of
38 section 10.00 of the penal law, has been caused to another person, due
39 to the operation of such [~~non-motorized means of conveyance~~] bicycle,
40 electric assisted bicycle, in-line skate, roller skate or skate board by
41 such person, shall, before leaving the place where the said physical
42 injury occurred, stop, and provide his name and residence, including
43 street and street number, to the injured party, if practical, and also
44 to a police officer, or in the event that no police officer is in the
45 vicinity of the place of said injury, then such person shall report said
46 incident as soon as physically able to the nearest police station or
47 judicial officer.

48 2. Leaving the scene of an incident involving a [~~wheeled non-motorized~~
49 ~~means of conveyance~~] bicycle, electric assisted bicycle, in-line skate,
50 roller skate or skate board without reporting in the second degree is a
51 violation.

52 § 15. Section 1241 of the vehicle and traffic law, as added by chapter
53 468 of the laws of 2001, is amended to read as follows:

54 § 1241. Leaving the scene of an incident involving a [~~wheeled non-mo-~~
55 ~~torized means of conveyance~~] bicycle, electric assisted bicycle, in-line
56 skate, roller skate or skate board without reporting in the first

1 degree. 1. Any person age eighteen years or older operating a [~~wheeled~~
2 ~~non-motorized means of conveyance, including, but not limited to bicy-~~
3 ~~cles,~~ bicycle, electric assisted bicycle, in-line [~~skates~~] skate, roll-
4 er [~~skates and~~] skate or skate [~~boards~~] board, who, knowing or having
5 cause to know, that serious physical injury, as defined in subdivision
6 ten of section 10.00 of the penal law, has been caused to another
7 person, due to the operation of such [~~non-motorized means of conveyance~~]
8 bicycle, electric assisted bicycle, in-line skate, roller skate or skate
9 board by such person, shall, before leaving the place where the said
10 serious physical injury occurred, stop, and provide his name and resi-
11 dence, including street and street number, to the injured party, if
12 practical, and also to a police officer, or in the event that no police
13 officer is in the vicinity of the place of said injury, then such person
14 shall report said incident as soon as physically able to the nearest
15 police station or judicial officer.

16 2. Leaving the scene of an incident involving a [~~wheeled non-motorized~~
17 ~~means of conveyance~~] bicycle, electric assisted bicycle, in-line skate,
18 roller skate or skate board without reporting in the first degree is a
19 class B misdemeanor.

20 § 16. The vehicle and traffic law is amended by adding a new section
21 1242 to read as follows:

22 § 1242. Tampering with an electric assisted bicycle. 1. No person
23 shall tamper with or modify an electric assisted bicycle to:

24 (a) increase the output of such bicycle to seven hundred fifty watts
25 or greater;

26 (b) engage the electric motor when:

27 (i) the operator of such bicycle is not pedaling;

28 (ii) the operator of such bicycle has applied the brakes; or

29 (iii) such bicycle has achieved a speed of twenty miles per hour or
30 greater; or

31 (c) accelerate the speed of the electric assisted bicycle motor by
32 means other than pedaling.

33 2. A violation of the provisions of subdivision one of this section
34 shall constitute a traffic infraction punishable by a fine of up to one
35 hundred fifty dollars or a sentence of imprisonment for up to fifteen
36 days or both such fine and imprisonment.

37 § 17. Section 316 of the highway law, as amended by chapter 655 of the
38 laws of 1978, is amended to read as follows:

39 § 316. Entitled to free use of highways. The authorities having charge
40 or control of any highway, public street, park, parkway, driveway, or
41 place, shall have no power or authority to pass, enforce or maintain any
42 ordinance, rule or regulation by which any person using a bicycle, elec-
43 tric assisted bicycle or tricycle shall be excluded or prohibited from
44 the free use of any highway, public street, avenue, roadway, driveway,
45 parkway, park, or place, at any time when the same is open to the free
46 use of persons having and using other pleasure carriages, except upon
47 such driveway, speedway or road as has been or may be expressly set
48 apart by law for the exclusive use of horses and light carriages. But
49 nothing herein shall prevent the passage, enforcement or maintenance of
50 any regulation, ordinance or rule, regulating the use of bicycles, elec-
51 tric assisted bicycles or tricycles in highways, public streets, drive-
52 ways, parks, parkways, and places, or the regulation of the speed of
53 carriages, vehicles or engines, in public parks and upon parkways and
54 driveways in the city of New York, under the exclusive jurisdiction and
55 control of the department of parks and recreation of said city, nor
56 prevent any such authorities in any other city from regulating the speed

1 of any vehicles herein described in such manner as to limit and deter-
2 mine the proper rate of speed with which such vehicle may be propelled
3 nor in such manner as to require, direct or prohibit the use of bells,
4 lamps and other appurtenances nor to prohibit the use of any vehicle
5 upon that part of the highway, street, park, or parkway, commonly known
6 as the footpath or sidewalk.

7 § 18. Section 180 of the general municipal law, as amended by chapter
8 668 of the laws of 2004, is amended to read as follows:

9 § 180. Ordinances to regulate use of bicycles and electric assisted
10 bicycles. The governing boards of municipal corporations as defined in
11 section two of this chapter, may adopt local laws to regulate the use of
12 bicycles and electric assisted bicycles on the public highways, streets,
13 avenues, walks, parks and public places within their limits. Such local
14 laws shall be supplemental and in addition to the provisions of the
15 vehicle and traffic law relating to vehicles and not in conflict there-
16 with. Provided further that such local laws shall not impose any charge,
17 tax or otherwise not provide for the free use of bicycles, electric
18 assisted bicycles and tricycles.

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