

# STATE OF NEW YORK

6029--A

2017-2018 Regular Sessions

## IN SENATE

May 10, 2017

Introduced by Sen. O'MARA -- 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

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

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

LBD11510-04-7

1 § 3. Section 125 of the vehicle and traffic law, as amended by chapter  
2 365 of the laws of 2008, is amended to read as follows:

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

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

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

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

31 § 1230. Effect of regulations. (a) The parent of any child and the  
32 guardian of any ward shall not authorize or knowingly permit any such  
33 child or ward to violate any of the provisions of this article.

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

40 § 6. Section 1231 of the vehicle and traffic law, as amended by chap-  
41 694 of the laws of 1995, is amended to read as follows:

42 § 1231. Traffic laws apply to persons riding bicycles or electric  
43 assisted bicycles or skating or gliding on in-line skates. Every person  
44 riding a bicycle or electric assisted bicycle or skating or gliding on  
45 in-line skates upon a roadway shall be granted all of the rights and  
46 shall be subject to all of the duties applicable to the driver of a  
47 vehicle by this title, except as to special regulations in this article  
48 and except as to those provisions of this title which by their nature  
49 can have no application.

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

52 § 1232. Riding on bicycles and electric assisted bicycles. (a) A  
53 person propelling a bicycle or electric assisted bicycle shall not ride  
54 other than upon or astride a permanent and regular seat attached there-  
55 to, nor shall he ride with his feet removed from the pedals.

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

4 § 8. The vehicle and traffic law is amended by adding a new section  
5 1232-a to read as follows:

6 § 1232-a. Additional requirements for operating an electric assisted  
7 bicycle. (a) No person shall operate or park an electric assisted bicy-  
8 cle on any public highway or street in this state unless a label is  
9 permanently affixed, in a prominent location, on such person's electric  
10 assisted bicycle. Such label shall contain the maximum speed, and motor  
11 wattage of the electric assisted bicycle, and shall be printed in arial  
12 font in at least nine-point type. On and after January first, two thou-  
13 sand eighteen, manufacturers and distributors of electric assisted bicy-  
14 cles shall apply a label that is permanently affixed, in a prominent  
15 location, to each electric assisted bicycle. The label shall contain the  
16 top assisted speed, and motor wattage of electric assisted bicycle, and  
17 shall be printed in arial font in at least nine-point type.

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

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

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

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

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

34 § 1234. Riding on roadways, shoulders, bicycle, electric assisted  
35 bicycle or in-line skate lanes and bicycle or in-line skate paths. (a)  
36 Upon all roadways, any bicycle, electric assisted bicycle or in-line  
37 skate shall be driven either on a usable bicycle or in-line skate lane  
38 or, if a usable bicycle or in-line skate lane has not been provided,  
39 near the right-hand curb or edge of the roadway or upon a usable right-  
40 hand shoulder in such a manner as to prevent undue interference with the  
41 flow of traffic except when preparing for a left turn or when reasonably  
42 necessary to avoid conditions that would make it unsafe to continue  
43 along near the right-hand curb or edge. Conditions to be taken into  
44 consideration include, but are not limited to, fixed or moving objects,  
45 vehicles, bicycles, electric assisted bicycles, in-line skates, pedes-  
46 trians, animals, surface hazards or traffic lanes too narrow for a bicy-  
47 cle, or electric assisted bicycle or person on in-line skates and a  
48 vehicle to travel safely side-by-side within the lane.

49 (b) Persons riding bicycles or electric assisted bicycles or skating  
50 or gliding on in-line skates upon a roadway shall not ride more than two  
51 abreast. Persons riding bicycles or electric assisted bicycles or skat-  
52 ing or gliding on in-line skates upon a shoulder, bicycle or in-line  
53 skate lane, or bicycle or in-line skates path, intended for the use of  
54 bicycles or in-line skates may ride two or more abreast if sufficient  
55 space is available, except that when passing a vehicle, bicycle, elec-  
56 tric assisted bicycle or person on in-line skates, or pedestrian, stand-

1 ing or proceeding along such shoulder, lane or path, persons riding  
2 bicycles or electric assisted bicycles or skating or gliding on in-line  
3 skates shall ride, skate, or glide single file. Persons riding bicycles  
4 or electric assisted bicycles or skating or gliding on in-line skates  
5 upon a roadway shall ride, skate, or glide single file when being over-  
6 taken by a vehicle.

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

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

13 § 1235. Carrying articles. No person operating a bicycle or electric  
14 assisted bicycle shall carry any package, bundle, or article which  
15 prevents the driver from keeping at least one hand upon the handle bars.  
16 No person skating or gliding on in-line skates shall carry any package,  
17 bundle, or article which obstructs his or her vision in any direction.  
18 No person operating a skate board shall carry any package, bundle, or  
19 article which obstructs his or her vision in any direction.

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

24 § 1236. Lamps and other equipment on bicycles and electric assisted  
25 bicycles. (a) Every bicycle or electric assisted bicycle when in use  
26 during the period from one-half hour after sunset to one-half hour  
27 before sunrise shall be equipped with a lamp on the front which shall  
28 emit a white light visible during hours of darkness from a distance of  
29 at least five hundred feet to the front and with a red or amber light  
30 visible to the rear for three hundred feet. Effective July first, nine-  
31 teen hundred seventy-six, at least one of these lights shall be visible  
32 for two hundred feet from each side.

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

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

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

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

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

10 § 1238. Passengers on bicycles or electric assisted bicycles under one  
11 year of age prohibited; passengers and operators under fourteen years of  
12 age to wear protective headgear. 1. No person operating a bicycle or  
13 electric assisted bicycle shall allow a person who is under one year of  
14 age to ride as a passenger on a bicycle or electric assisted bicycle nor  
15 shall such person be carried in a pack fastened to the operator. A first  
16 violation of the provisions of this subdivision shall result in no fine.  
17 A second violation shall result in a civil fine not to exceed fifty  
18 dollars.

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

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

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

31 2-a. The commissioner shall promulgate rules and regulations estab-  
32 lishing standards for helmets required to be worn while bicycling,  
33 in-line skating, or operating a skate board. Such standards, to the  
34 extent practicable, shall reflect the standards recommended by the Snell  
35 Memorial Foundation, Safety Equipment Institute, or United States  
36 Consumer Product Safety Commission.

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

39 4. The court shall waive any fine for which a person who violates the  
40 provisions of paragraph (a) of subdivision two of this section would be  
41 liable if such person supplies the court with proof that between the  
42 date of violation and the appearance date for such violation such person  
43 purchased or rented a helmet, which meets the requirements of paragraph  
44 (a) of subdivision two of this section. Further, the court shall waive  
45 any fine for which a person who violates the provisions of paragraph (b)  
46 of subdivision two of this section would be liable if such person  
47 supplies the court with proof that between the date of violation and the  
48 appearance date for such violation such person purchased or rented a  
49 seat which meets the requirements of paragraph (b) of subdivision two of  
50 this section. The court may waive any fine for which a person who  
51 violates the provisions of subdivision two of this section would be  
52 liable if the court finds that due to reasons of economic hardship such  
53 person was unable to purchase a helmet or seat. Such waiver of fine  
54 shall not apply to a second or subsequent conviction under paragraph (a)  
55 or (b) of subdivision two of this section.

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

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

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

13 5-a. No person, one or more years of age and less than fourteen years  
14 of age, shall skate or glide on in-line skates or a skate board unless  
15 such person is wearing a helmet meeting standards established by the  
16 commissioner. For the purposes of this subdivision, wearing a helmet  
17 means having a helmet of good fit fastened securely on the head of such  
18 wearer with the helmet straps securely fastened.

19 5-b. No person less than fourteen years of age shall ride upon, propel  
20 or otherwise operate a two-wheeled vehicle commonly called a scooter  
21 unless such person is wearing a helmet meeting standards established by  
22 the commissioner. As used in this subdivision, wearing a helmet means  
23 having a properly fitting helmet fixed securely on the head of such  
24 wearer with the helmet straps securely fastened.

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

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

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

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

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

53 9. Subdivisions five, five-a, five-b, and six of this section shall  
54 not be applicable to any county, city, town or village that has enacted  
55 a local law or ordinance prior to the effective date of this subdivision  
56 that prohibits a person who is one or more years of age and less than

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

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

26 § 14. Section 1240 of the vehicle and traffic law, as added by chapter  
27 468 of the laws of 2001, is amended to read as follows:

28 § 1240. Leaving the scene of an incident involving a [~~wheeled non-mo-~~  
29 ~~torized means of conveyance~~] bicycle, electric assisted bicycle, in-line  
30 skate, roller skate or skate board without reporting in the second  
31 degree. 1. Any person age eighteen years or older operating a [~~wheeled~~  
32 ~~non-motorized means of conveyance, including, but not limited to bicy-~~  
33 ~~cles,~~] bicycle, electric assisted bicycle, in-line [~~skates~~] skate, roll-  
34 er [~~skates and~~] skate or skate [~~boards~~] board, who, knowing or having  
35 cause to know, that physical injury, as defined in subdivision nine of  
36 section 10.00 of the penal law, has been caused to another person, due  
37 to the operation of such [~~non-motorized means of conveyance~~] bicycle,  
38 electric assisted bicycle, in-line skate, roller skate or skate board by  
39 such person, shall, before leaving the place where the said physical  
40 injury occurred, stop, and provide his name and residence, including  
41 street and street number, to the injured party, if practical, and also  
42 to a police officer, or in the event that no police officer is in the  
43 vicinity of the place of said injury, then such person shall report said  
44 incident as soon as physically able to the nearest police station or  
45 judicial officer.

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

50 § 15. Section 1241 of the vehicle and traffic law, as added by chapter  
51 468 of the laws of 2001, is amended to read as follows:

52 § 1241. Leaving the scene of an incident involving a [~~wheeled non-mo-~~  
53 ~~torized means of conveyance~~] bicycle, electric assisted bicycle, in-line  
54 skate, roller skate or skate board without reporting in the first  
55 degree. 1. Any person age eighteen years or older operating a [~~wheeled~~  
56 ~~non-motorized means of conveyance, including, but not limited to bicy-~~

1 ~~es,~~ bicycle, electric assisted bicycle, in-line [~~skates~~] skate, roll-  
 2 er [~~skates—and~~] skate or skate [~~boards~~] board, who, knowing or having  
 3 cause to know, that serious physical injury, as defined in subdivision  
 4 ten of section 10.00 of the penal law, has been caused to another  
 5 person, due to the operation of such [~~non-motorized means of conveyance~~]  
 6 bicycle, electric assisted bicycle, in-line skate, roller skate or skate  
 7 board by such person, shall, before leaving the place where the said  
 8 serious physical injury occurred, stop, and provide his name and resi-  
 9 dence, including street and street number, to the injured party, if  
 10 practical, and also to a police officer, or in the event that no police  
 11 officer is in the vicinity of the place of said injury, then such person  
 12 shall report said incident as soon as physically able to the nearest  
 13 police station or judicial officer.

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

18 § 16. The vehicle and traffic law is amended by adding a new section  
 19 1242 to read as follows:

20 § 1242. Tampering with an electric assisted bicycle. 1. No person  
 21 shall tamper with or modify an electric assisted bicycle to:

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

24 (b) engage the electric motor when:

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

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

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

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

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

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

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



1 nor in such manner as to require, direct or prohibit the use of bells,  
2 lamps and other appurtenances nor to prohibit the use of any vehicle  
3 upon that part of the highway, street, park, or parkway, commonly known  
4 as the footpath or sidewalk.

5 § 18. Section 180 of the general municipal law, as amended by chapter  
6 668 of the laws of 2004, is amended to read as follows:

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

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