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Introduced by Sens. O'MARA, DILAN, MARCHIONE, RANZENHOFER, SEPULVEDA, TEDISCO -- 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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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

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1 having a maximum performance speed of more than twenty miles per hour
2 but not more than thirty miles per hour, shall be a class B limited use
3 motorcycle. A limited use motorcycle having a maximum performance speed
4 of not more than twenty miles per hour shall be a class C limited use
5 motorcycle.

6 § 3. Section 125 of the vehicle and traffic law, as amended by chapter
7 365 of the laws of 2008, is amended to read as follows:

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

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

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

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

36 § 1230. Effect of regulations. (a) The parent of any child and the
37 guardian of any ward shall not authorize or knowingly permit any such
38 child or ward to violate any of the provisions of this article.

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

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

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

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

1 § 1232. Riding on bicycles and electric assisted bicycles. (a) A
2 person propelling a bicycle or electric assisted bicycle shall not ride
3 other than upon or astride a permanent and regular seat attached there-
4 to, nor shall he ride with his feet removed from the pedals.

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

8 § 8. The vehicle and traffic law is amended by adding a new section
9 1232-a to read as follows:

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

23 (b) No person shall permit any label required by subdivision (a) of
24 this section to be affixed to an electric assisted bicycle to become
25 illegible.

26 (c) No person or entity shall park or otherwise make available any
27 electric assisted bicycle for use or operation by another on any public
28 highway or street in the state unless a legible label is permanently
29 affixed in a manner which meets the requirements of paragraph (a) of
30 this section.

31 (d) The court shall waive any fine for which a person who violates the
32 provisions of paragraph (a) of this section is liable if such person
33 supplies the court with (1) proof that between the date of violation and
34 the appearance date for such violation, such label was repaired or
35 replaced in a manner which meets the requirements of paragraph (a) of
36 this section; or (2) proof that such electric assisted bicycle had been
37 operated in violation of this section within the duration of a short
38 term lease or other agreement.

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

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

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

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

52 § 1234. Riding on roadways, shoulders, bicycle, electric assisted
53 bicycle or in-line skate lanes and bicycle or in-line skate paths. (a)
54 Upon all roadways, any bicycle, electric assisted bicycle or in-line
55 skate shall be driven either on a usable bicycle or in-line skate lane
56 or, if a usable bicycle or in-line skate lane has not been provided,

1 near the right-hand curb or edge of the roadway or upon a usable right-
2 hand shoulder in such a manner as to prevent undue interference with the
3 flow of traffic except when preparing for a left turn or when reasonably
4 necessary to avoid conditions that would make it unsafe to continue
5 along near the right-hand curb or edge. Conditions to be taken into
6 consideration include, but are not limited to, fixed or moving objects,
7 vehicles, bicycles, electric assisted bicycles, in-line skates, pedes-
8 trians, animals, surface hazards or traffic lanes too narrow for a bicy-
9 cle, or electric assisted bicycle or person on in-line skates and a
10 vehicle to travel safely side-by-side within the lane.

11 (b) Persons riding bicycles or electric assisted bicycles or skating
12 or gliding on in-line skates upon a roadway shall not ride more than two
13 abreast. Persons riding bicycles or electric assisted bicycles or skat-
14 ing or gliding on in-line skates upon a shoulder, bicycle or in-line
15 skate lane, or bicycle or in-line skates path, intended for the use of
16 bicycles or in-line skates may ride two or more abreast if sufficient
17 space is available, except that when passing a vehicle, bicycle, elec-
18 tric assisted bicycle or person on in-line skates, or pedestrian, stand-
19 ing or proceeding along such shoulder, lane or path, persons riding
20 bicycles or electric assisted bicycles or skating or gliding on in-line
21 skates shall ride, skate, or glide single file. Persons riding bicycles
22 or electric assisted bicycles or skating or gliding on in-line skates
23 upon a roadway shall ride, skate, or glide single file when being over-
24 taken by a vehicle.

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

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

31 § 1235. Carrying articles. No person operating a bicycle or electric
32 assisted bicycle shall carry any package, bundle, or article which
33 prevents the driver from keeping at least one hand upon the handle bars.
34 No person skating or gliding on in-line skates shall carry any package,
35 bundle, or article which obstructs his or her vision in any direction.
36 No person operating a skate board shall carry any package, bundle, or
37 article which obstructs his or her vision in any direction.

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

42 § 1236. Lamps and other equipment on bicycles and electric assisted
43 bicycles. (a) Every bicycle or electric assisted bicycle when in use
44 during the period from one-half hour after sunset to one-half hour
45 before sunrise shall be equipped with a lamp on the front which shall
46 emit a white light visible during hours of darkness from a distance of
47 at least five hundred feet to the front and with a red or amber light
48 visible to the rear for three hundred feet. Effective July first, nine-
49 teen hundred seventy-six, at least one of these lights shall be visible
50 for two hundred feet from each side.

51 (b) No person shall operate a bicycle or electric assisted bicycle
52 unless it is equipped with a bell or other device capable of giving a
53 signal audible for a distance of at least one hundred feet, except that
54 a bicycle or electric assisted bicycle shall not be equipped with nor
55 shall any person use upon a bicycle or electric assisted bicycle any
56 siren or whistle.

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

6 (d) Every new bicycle or electric assisted bicycle shall be equipped
7 with reflective tires or, alternately, a reflex reflector mounted on the
8 spokes of each wheel, said tires and reflectors to be of types approved
9 by the commissioner. The reflex reflector mounted on the front wheel
10 shall be colorless or amber, and the reflex reflector mounted on the
11 rear wheel shall be colorless or red.

12 (e) Every bicycle or electric assisted bicycle when in use during the
13 period from one-half hour after sunset to one-half hour before sunrise
14 shall be equipped with reflective devices or material meeting the stand-
15 ards established by rules and regulations promulgated by the commis-
16 sioner; provided, however, that such standards shall not be inconsistent
17 with or otherwise conflict with the requirements of subdivisions (a) and
18 (d) of this section.

19 § 13. Section 1238 of the vehicle and traffic law, as amended by chap-
20 ter 267 of the laws of 1993, paragraph (a) of subdivision 2 and para-
21 graphs (a) and (b) of subdivision 5 as amended by chapter 457 of the
22 laws of 1999, subdivisions 2-a, 5-a, 9 and 10 and paragraph (c) of
23 subdivision 6 as amended by chapter 703 of the laws of 2004, subdivision
24 5 as amended by chapter 132 of the laws of 1994, subdivision 5-b as
25 added and paragraph (a) of subdivision 6 as amended by chapter 402 of
26 the laws of 2001 and subdivision 8 as amended by chapter 694 of the laws
27 of 1995, is amended to read as follows:

28 § 1238. Passengers on bicycles or electric assisted bicycles under one
29 year of age prohibited; passengers and operators under fourteen years of
30 age to wear protective headgear. 1. No person operating a bicycle or
31 electric assisted bicycle shall allow a person who is under one year of
32 age to ride as a passenger on a bicycle or electric assisted bicycle nor
33 shall such person be carried in a pack fastened to the operator. A first
34 violation of the provisions of this subdivision shall result in no fine.
35 A second violation shall result in a civil fine not to exceed fifty
36 dollars.

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

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

44 (b) such passenger is placed in a separate seat attached to the bicy-
45 cle or electric assisted bicycle and such seat shall have adequate
46 provision for retaining the passenger in place and for protecting the
47 passenger from the moving parts of the bicycle or electric assisted
48 bicycle.

49 2-a. The commissioner shall promulgate rules and regulations estab-
50 lishing standards for helmets required to be worn while bicycling,
51 in-line skating, or operating a skate board. Such standards, to the
52 extent practicable, shall reflect the standards recommended by the Snell
53 Memorial Foundation, Safety Equipment Institute, or United States
54 Consumer Product Safety Commission.

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

1 4. The court shall waive any fine for which a person who violates the
2 provisions of paragraph (a) of subdivision two of this section would be
3 liable if such person supplies the court with proof that between the
4 date of violation and the appearance date for such violation such person
5 purchased or rented a helmet, which meets the requirements of paragraph
6 (a) of subdivision two of this section. Further, the court shall waive
7 any fine for which a person who violates the provisions of paragraph (b)
8 of subdivision two of this section would be liable if such person
9 supplies the court with proof that between the date of violation and the
10 appearance date for such violation such person purchased or rented a
11 seat which meets the requirements of paragraph (b) of subdivision two of
12 this section. The court may waive any fine for which a person who
13 violates the provisions of subdivision two of this section would be
14 liable if the court finds that due to reasons of economic hardship such
15 person was unable to purchase a helmet or seat. Such waiver of fine
16 shall not apply to a second or subsequent conviction under paragraph (a)
17 or (b) of subdivision two of this section.

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

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

27 (c) For the purposes of this subdivision wearing a helmet means having
28 a helmet of good fit fastened securely upon the head with the helmet
29 straps.

30 5-a. No person, one or more years of age and less than fourteen years
31 of age, shall skate or glide on in-line skates or a skate board unless
32 such person is wearing a helmet meeting standards established by the
33 commissioner. For the purposes of this subdivision, wearing a helmet
34 means having a helmet of good fit fastened securely on the head of such
35 wearer with the helmet straps securely fastened.

36 5-b. No person less than fourteen years of age shall ride upon, propel
37 or otherwise operate a two-wheeled vehicle commonly called a scooter
38 unless such person is wearing a helmet meeting standards established by
39 the commissioner. As used in this subdivision, wearing a helmet means
40 having a properly fitting helmet fixed securely on the head of such
41 wearer with the helmet straps securely fastened.

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

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

50 (c) The court may waive any fine for which a person who violates the
51 provisions of subdivision five, five-a, or five-b of this section would
52 be liable if the court finds that due to reasons of economic hardship
53 such person was unable to purchase a helmet or due to such economic
54 hardship such person was unable to obtain a helmet from the statewide
55 in-line skate and bicycle helmet distribution program, as established in

1 section two hundred six of the public health law, or a local distrib-
2 ution program.

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

8 8. A police officer shall only issue a summons for a violation of
9 subdivision two, five, or five-a of this section by a person less than
10 fourteen years of age to the parent or guardian of such person if the
11 violation by such person occurs in the presence of such person's parent
12 or guardian and where such parent or guardian is eighteen years of age
13 or more. Such summons shall only be issued to such parent or guardian,
14 and shall not be issued to the person less than fourteen years of age.

15 9. Subdivisions five, five-a, five-b, and six of this section shall
16 not be applicable to any county, city, town or village that has enacted
17 a local law or ordinance prior to the effective date of this subdivision
18 that prohibits a person who is one or more years of age and less than
19 fourteen years of age from operating a bicycle, electric assisted bicy-
20 cle or skating or gliding on in-line skates or a skate board without
21 wearing a bicycle helmet meeting the standards of the American National
22 Standards Institute (Ansi Z 90.4 bicycle helmet standards), the Snell
23 Memorial Foundation's Standards for Protective Headgear for use in Bicy-
24 cling, or the American Society of Testing and Materials (ASTM) bike
25 helmet standards, or that prohibits a person operating a bicycle or
26 electric assisted bicycle from allowing a person five or more years of
27 age and less than fourteen years of age to ride as a passenger on a
28 bicycle or electric assisted bicycle unless such passenger is wearing a
29 bicycle helmet that meets such standards. The failure of any person to
30 comply with any such local law or ordinance shall not constitute contri-
31 butory negligence or assumption of risk, and shall not in any way bar,
32 preclude or foreclose an action for personal injury or wrongful death by
33 or on behalf of such person, nor in any way diminish or reduce the
34 damages recoverable in any such action. The legislative body of a coun-
35 ty, city, town or village may enact a local law or ordinance that
36 prohibits a person who is fourteen or more years of age from skating or
37 gliding on in-line skates, operating a skate board, or operating or
38 riding as a passenger on a bicycle or electric assisted bicycle without
39 wearing a bicycle helmet.

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

44 § 14. Section 1240 of the vehicle and traffic law, as added by chapter
45 468 of the laws of 2001, is amended to read as follows:

46 § 1240. Leaving the scene of an incident involving a wheeled non-mo-
47 torized means of conveyance or an electric assisted bicycle without
48 reporting in the second degree. 1. Any person age eighteen years or
49 older operating a wheeled non-motorized means of conveyance, including,
50 but not limited to bicycles, in-line skates, roller skates and skate
51 boards or an electric assisted bicycle as defined in section one hundred
52 two-c of this chapter, who, knowing or having cause to know, that phys-
53 ical injury, as defined in subdivision nine of section 10.00 of the
54 penal law, has been caused to another person, due to the operation of
55 such non-motorized means of conveyance, or electric assisted bicycle by
56 such person, shall, before leaving the place where the said physical

1 injury occurred, stop, and provide his name and residence, including
2 street and street number, to the injured party, if practical, and also
3 to a police officer, or in the event that no police officer is in the
4 vicinity of the place of said injury, then such person shall report said
5 incident as soon as physically able to the nearest police station or
6 judicial officer.

7 2. Leaving the scene of an incident involving a wheeled non-motorized
8 means of conveyance, or an electric assisted bicycle without reporting
9 in the second degree is a violation.

10 § 15. Section 1241 of the vehicle and traffic law, as added by chapter
11 468 of the laws of 2001, is amended to read as follows:

12 § 1241. Leaving the scene of an incident involving a wheeled non-mo-
13 torized means of conveyance, or an electric assisted bicycle, without
14 reporting in the first degree. 1. Any person age eighteen years or
15 older operating a wheeled non-motorized means of conveyance, including,
16 but not limited to bicycles, in-line skates, roller skates and skate
17 boards or an electric assisted bicycle as defined in section one hundred
18 two-c of this chapter, who, knowing or having cause to know, that seri-
19 ous physical injury, as defined in subdivision ten of section 10.00 of
20 the penal law, has been caused to another person, due to the operation
21 of such non-motorized means of conveyance, or electric assisted bicycle
22 by such person, shall, before leaving the place where the said serious
23 physical injury occurred, stop, and provide his name and residence,
24 including street and street number, to the injured party, if practical,
25 and also to a police officer, or in the event that no police officer is
26 in the vicinity of the place of said injury, then such person shall
27 report said incident as soon as physically able to the nearest police
28 station or judicial officer.

29 2. Leaving the scene of an incident involving a wheeled non-motorized
30 means of conveyance, or an electric assisted bicycle without reporting
31 in the first degree is a class B misdemeanor.

32 § 16. The vehicle and traffic law is amended by adding a new section
33 1242 to read as follows:

34 § 1242. Tampering with an electric assisted bicycle. 1. No person
35 shall tamper with or modify an electric assisted bicycle to:

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

38 (b) engage the electric motor when:

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

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

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

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

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

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

51 § 316. Entitled to free use of highways. The authorities having charge
52 or control of any highway, public street, park, parkway, driveway, or
53 place, shall have no power or authority to pass, enforce or maintain any
54 ordinance, rule or regulation by which any person using a bicycle, elec-
55 tric assisted bicycle or tricycle shall be excluded or prohibited from
56 the free use of any highway, public street, avenue, roadway, driveway,

1 parkway, park, or place, at any time when the same is open to the free
2 use of persons having and using other pleasure carriages, except upon
3 such driveway, speedway or road as has been or may be expressly set
4 apart by law for the exclusive use of horses and light carriages. But
5 nothing herein shall prevent the passage, enforcement or maintenance of
6 any regulation, ordinance or rule, regulating the use of bicycles, elec-
7 tric assisted bicycles or tricycles in highways, public streets, drive-
8 ways, parks, parkways, and places, or the regulation of the speed of
9 carriages, vehicles or engines, in public parks and upon parkways and
10 driveways in the city of New York, under the exclusive jurisdiction and
11 control of the department of parks and recreation of said city, nor
12 prevent any such authorities in any other city from regulating the speed
13 of any vehicles herein described in such manner as to limit and deter-
14 mine the proper rate of speed with which such vehicle may be propelled
15 nor in such manner as to require, direct or prohibit the use of bells,
16 lamps and other appurtenances nor to prohibit the use of any vehicle
17 upon that part of the highway, street, park, or parkway, commonly known
18 as the footpath or sidewalk.

19 § 18. Section 180 of the general municipal law, as amended by chapter
20 668 of the laws of 2004, is amended to read as follows:

21 § 180. Ordinances to regulate use of bicycles and electric assisted
22 bicycles. The governing boards of municipal corporations as defined in
23 section two of this chapter, may adopt local laws to regulate the use of
24 bicycles and electric assisted bicycles on the public highways, streets,
25 avenues, walks, parks and public places within their limits. Such local
26 laws shall be supplemental and in addition to the provisions of the
27 vehicle and traffic law relating to vehicles and not in conflict there-
28 with. Provided further that such local laws shall not impose any charge,
29 tax or otherwise not provide for the free use of bicycles, electric
30 assisted bicycles and tricycles.

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