STATE OF NEW YORK

4990

2019-2020 Regular Sessions

IN ASSEMBLY

February 6, 2019

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

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 at retail 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, roads and sidewalks may be unlawful. Please check your state and local laws, ordinances, rules and regulations regarding use of this electric assisted bicycle on public highways, roads and 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 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.

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

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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.