

STATE OF NEW YORK

5294--A

2019-2020 Regular Sessions

IN SENATE

April 23, 2019

Introduced by Sens. RAMOS, BAILEY, BENJAMIN, COMRIE, GAUGHRAN, GIANARIS, HARCKHAM, JACKSON, KAMINSKY, KAVANAGH, LIU, MARTINEZ, MAY, METZGER, MONTGOMERY, MYRIE, O'MARA, PARKER, RIVERA, SALAZAR, SANDERS, SAVINO, SEPULVEDA, STAVISKY, THOMAS -- 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, in relation to bicycles with electric assist and electric scooters; and providing for the repeal of certain provisions upon the expiration thereof

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. Bicycle with electric assist. A bicycle which has an electric
4 motor of less than seven hundred fifty watts, equipped with operable
5 pedals, meeting the equipment and manufacturing requirements for bicy-
6 cles adopted by the Consumer Product Safety Commission under 16 C.F.R.
7 Part 1512.1 et seq. and meeting the requirements of one of the following
8 three classes:

9 (a) "Class one bicycle with electric assist." A bicycle with electric
10 assist having an electric motor that provides assistance only when the
11 person operating such bicycle is pedaling, and that ceases to provide
12 assistance when such bicycle reaches a speed of twenty miles per hour.

13 (b) "Class two bicycle with electric assist." A bicycle with electric
14 assist having an electric motor that may be used exclusively to propel
15 such bicycle, and that is not capable of providing assistance when such
16 bicycle reaches a speed of twenty miles per hour.

17 (c) "Class three bicycle with electric assist." Solely within a city
18 having a population of one million or more, a bicycle with electric
19 assist having an electric motor that may be used exclusively to propel

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

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1 such bicycle, and that is not capable of providing assistance when such
2 bicycle reaches a speed of twenty-five miles per hour.

3 § 2. The vehicle and traffic law is amended by adding a new section
4 114-e to read as follows:

5 § 114-e. Electric scooter. Every device weighing less than one hundred
6 pounds that (a) has handlebars, a floorboard that can be stood upon by
7 the operator, and an electric motor, (b) can be powered by the electric
8 motor and/or human power, and (c) has a maximum speed of no more than
9 twenty miles per hour on a paved level surface when powered solely by
10 the electric motor.

11 § 3. Section 125 of the vehicle and traffic law, as amended by chapter
12 365 of the laws of 2008, is amended to read as follows:

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

33 § 3-a. Section 125 of the vehicle and traffic law, as amended by
34 section three of this act, is amended to read as follows:

35 § 125. Motor vehicles. Every vehicle operated or driven upon a public
36 highway which is propelled by any power other than muscular power,
37 except (a) electrically-driven mobility assistance devices operated or
38 driven by a person with a disability, (a-1) electric personal assistive
39 mobility devices operated outside a city with a population of one
40 million or more, (b) vehicles which run only upon rails or tracks, (c)
41 snowmobiles as defined in article forty-seven of this chapter, (d) all
42 terrain vehicles as defined in article forty-eight-B of this chapter,
43 (e) bicycles with electric assist as defined in section one hundred
44 two-c of this article, and (f) electric scooters as defined in section
45 one hundred fourteen-e of this article [~~operated outside a city with a~~
46 ~~population of one million or more~~]. For the purposes of title four of
47 this chapter, the term motor vehicle shall exclude fire and police vehi-
48 cles other than ambulances. For the purposes of titles four and five of
49 this chapter the term motor vehicles shall exclude farm type tractors
50 and all terrain type vehicles used exclusively for agricultural
51 purposes, or for snow plowing, other than for hire, farm equipment,
52 including self-propelled machines used exclusively in growing, harvest-
53 ing or handling farm produce, and self-propelled caterpillar or crawl-
54 er-type equipment while being operated on the contract site.

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

1 § 159. Vehicle. Every device in, upon, or by which any person or
2 property is or may be transported or drawn upon a highway, except
3 devices moved by human power or used exclusively upon stationary rails
4 or tracks, bicycles with electric assist as defined in section one
5 hundred two-c of this article, and electric scooters as defined in
6 section one hundred fourteen-e of this article operated outside a city
7 with a population of one million or more.

8 § 4-a. Section 159 of the vehicle and traffic law, as amended by
9 section four of this act, is amended to read as follows:

10 § 159. Vehicle. Every device in, upon, or by which any person or
11 property is or may be transported or drawn upon a highway, except
12 devices moved by human power or used exclusively upon stationary rails
13 or tracks, bicycles with electric assist as defined in section one
14 hundred two-c of this article, and electric scooters as defined in
15 section one hundred fourteen-e of this article [~~operated outside a city~~
16 ~~with a population of one million or more~~].

17 § 5. The vehicle and traffic law is amended by adding two new sections
18 1242 and 1243 to read as follows:

19 § 1242. Additional provisions applicable to bicycles with electric
20 assist. 1. In addition to complying with all of the rules, regulations,
21 and provisions applicable to bicycles contained in this article, bicy-
22 cles with electric assist shall operate in a manner so that the electric
23 motor is disengaged or ceases to function when the brakes are applied or
24 the rider stops pedaling, or operate in a manner such that the electric
25 motor is engaged through a switch or mechanism that, when released, will
26 cause the electric motor to disengage or cease to function.

27 2. Notwithstanding the provisions of section twelve hundred thirty-
28 eight of this article, no person less than sixteen years of age shall
29 operate or ride as a passenger upon a bicycle with electric assist, and
30 no person sixteen years of age or older shall allow any person less than
31 sixteen years of age to operate or ride as a passenger upon such bicy-
32 cle. The provisions of subdivision seven of section twelve hundred thir-
33 ty-eight of this article shall be applicable to this subdivision.

34 3. The governing body of any city, town or village may, by local law
35 or ordinance, further regulate the time, place and manner of the opera-
36 tion of bicycles with electric assist, and may limit, prohibit the use
37 thereof in specified areas, or prohibit entirely the use of bicycles
38 with electric assist within such city, town, or village.

39 4. (a) No person shall operate a bicycle with electric assist on any
40 public lands or property, other than a highway exclusive of any greenway
41 running adjacent to or connected with a highway, except that a bicycle
42 with electric assist may be operated on any such lands that have been
43 designated and posted for travel by bicycles with electric assist in
44 accordance with the provisions of paragraph (b) of this subdivision. For
45 the purposes of this subdivision, the term "greenway" shall have the
46 same meaning as such term is defined by subdivision seven of section
47 44-0103 of the environmental conservation law and subdivision one of
48 section 39.03 of the parks, recreation and historic preservation law.

49 (b) A state agency, by regulation or order, and a city, town or
50 village, by local law or ordinance, may designate any appropriate public
51 lands and properties under its jurisdiction, other than highways exclu-
52 sive of any greenway running adjacent to or connected with a highway, as
53 a place open for travel by bicycles with electric assist upon written
54 request for such designation by any person, and may impose restrictions
55 and conditions for the regulation and safe operation of bicycles with

1 electric assist on such public lands or property, such as travel on
2 designated trails and hours of operation.

3 5. (a) No person shall operate a bicycle with electric assist unless
4 such operation is in compliance with the provisions of this chapter, and
5 any regulation or order or local law or ordinance adopted pursuant to
6 subdivisions three and four of this section.

7 (b) No bicycle with electric assist shall be operated on a sidewalk,
8 except as may be authorized by a local law or ordinance adopted by a
9 city, town or village having jurisdiction over such sidewalk including
10 parking on certain sidewalks within such city, town or village in
11 compliance with the federal Americans with Disabilities Act of 1990, as
12 amended (Public Law 101-336).

13 6. The operation of a bicycle with electric assist which meets the
14 requirements of subdivision (c) of section one hundred two-c of this
15 chapter outside of a city having a population of one million or more is
16 prohibited.

17 7. (a) No person, firm, association or corporation engaged in the
18 business of selling or leasing bicycles with electric assist shall sell
19 or lease any bicycle with electric assist on or after June first, two
20 thousand twenty-one unless such bicycle with electric assist has perma-
21 nently affixed thereto, in a prominent location, a manufacturer's label
22 which shall include the following information: the class, maximum
23 motor-assisted speed, and motor wattage of such bicycle with electric
24 assist. Manufacturers and distributors of bicycles with electric assist
25 shall, by April first, two thousand twenty-one, establish a process by
26 which an owner of a bicycle with electric assist may request and obtain
27 a manufacturer's label providing the class, maximum motor-assisted
28 speed, and motor wattage applicable to his or her bicycle with electric
29 assist purchased prior to June first, two thousand twenty-one and
30 installation instructions, from such manufacturers and distributors.

31 (b) No person shall operate a bicycle with electric assist on any
32 public highway or street in this state after June first, two thousand
33 twenty-one unless such bicycle with electric assist has affixed thereto,
34 in a prominent location, a manufacturer's label providing the class,
35 maximum motor-assisted speed, and motor wattage of such bicycle with
36 electric assist. Any person who violates the provisions of this para-
37 graph shall be punished by a civil fine of up to fifty dollars. The
38 court shall waive any fine for which a person who violates the
39 provisions of this paragraph would be liable if such person supplies the
40 court with proof that, between the date on which he or she is charged
41 with having violated this paragraph and the appearance date for such
42 violation, a manufacturer's label was affixed to his or her bicycle with
43 electric assist as required by this paragraph. Provided, however, that
44 such waiver of fine shall not apply to a second or subsequent conviction
45 under this paragraph.

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

53 § 1243. Shared bicycle and shared bicycle with electric assist
54 systems; data protection. 1. The governing body of any city, town or
55 village may, by local law, ordinance, order, rule or regulation, author-
56 ize and regulate shared bicycle systems or shared bicycle with electric

1 assist systems within such city, town or village. No such shared
 2 systems shall operate within a city, town or village except as author-
 3 ized by such local law, ordinance, order, rule or regulation. For the
 4 purposes of this subdivision, the term shared bicycle system or shared
 5 bicycle with electric assist system shall mean a network of self-service
 6 and publicly available bicycles or bicycles with electric assist in
 7 which a bicycle or bicycle with electric assist trip begins and/or ends
 8 on any public highway.

9 2. Notwithstanding any other provision of law to the contrary, all
 10 trip data, personal information, images, videos, and other recorded
 11 images collected by any shared bicycle system or shared bicycle with
 12 electric assist system which is authorized to operate within a city,
 13 town or village pursuant to this section: (a) shall be for the exclusive
 14 use of such shared bicycle or shared bicycle with electric assist system
 15 and shall not be sold, distributed, or otherwise made available for any
 16 commercial purpose and (b) shall not be disclosed or otherwise made
 17 accessible except (i) to the person who is the subject of such data,
 18 information or record; or (ii) if necessary to comply with a lawful
 19 court order, judicial warrant signed by a judge appointed pursuant to
 20 article III of the United States constitution, or subpoena for individ-
 21 ual data, information or records properly issued pursuant to the crimi-
 22 nal procedure law or the civil practice law and rules. Provided, howev-
 23 er, that nothing contained in this paragraph shall be deemed to preclude
 24 the exchange of such data, information or recorded images solely for the
 25 purpose of administering such authorized shared system. For the purposes
 26 of this subdivision, "personal information" shall mean information that
 27 identifies an individual, including but not limited to name, address,
 28 telephone number, and the type and form of payment including credit card
 29 number, debit card number, or other payment method.

30 § 6. The vehicle and traffic law is amended by adding a new article
 31 34-D to read as follows:

32 ARTICLE 34-D

33 OPERATION OF ELECTRIC SCOOTERS

34 Section 1280. Effect of regulations.

35 1281. Traffic laws apply to persons operating electric scooters;
 36 local laws.

37 1282. Operating electric scooters.

38 1283. Clinging to vehicles.

39 1284. Riding on roadways, shoulders, and lanes reserved for
 40 non-motorized vehicles and devices.

41 1285. Lamps and other equipment.

42 1286. Leaving the scene of an incident involving an electric
 43 scooter without reporting in the second degree.

44 1287. Leaving the scene of an incident involving an electric
 45 scooter without reporting in the first degree.

46 § 1280. Effect of regulations. 1. The parent of any child and the
 47 guardian of any ward shall not authorize or knowingly permit any such
 48 child or ward to violate any of the provisions of this article.

49 2. These regulations applicable to electric scooters shall apply when-
 50 ever an electric scooter is operated upon any highway, upon private
 51 roads open to public motor vehicle traffic and upon any path set aside
 52 for the exclusive use of bicycles, in-line skates, electric scooters, or
 53 all.

54 § 1281. Traffic laws apply to persons operating electric scooters;
 55 local laws. 1. Every person riding an electric scooter upon a roadway
 56 shall be granted all of the rights and shall be subject to all of the

1 duties applicable to the driver of a vehicle and the rider of a bicycle
2 by this title, except as to special regulations in this article and
3 except as to those provisions of this title which by their nature can
4 have no application.

5 2. The governing body of any city, town or village may, by local law
6 or ordinance, further regulate the time, place and manner of the opera-
7 tion of electric scooters, and may limit, prohibit the use thereof in
8 specified areas, or prohibit entirely the use of electric scooters with-
9 in such city, town, or village.

10 3. No person shall operate an electric scooter unless such operation
11 is in compliance with the provisions of this chapter, and any regulation
12 or order or local law or ordinance adopted pursuant to subdivision two
13 of this section or subdivision six of section twelve hundred eighty-two
14 of this article. The provisions of subdivision seven of section twelve
15 hundred thirty-eight of this title shall be applicable to this article.

16 § 1282. Operating electric scooters. 1. No electric scooter shall be
17 used to carry more persons at one time than the number for which such
18 device is designed and equipped. No person operating an electric scooter
19 shall carry any person as a passenger in a pack fastened to the operator
20 or fastened to the electric scooter.

21 2. No person operating an electric scooter shall carry any package,
22 bundle or article which prevents the operator from keeping at least one
23 hand upon the handle bars or which obstructs his or her vision in any
24 direction.

25 3. Every person operating an electric scooter shall yield the right of
26 way to pedestrians.

27 4. No person less than sixteen years of age shall operate or ride as a
28 passenger upon an electric scooter, and no person sixteen years of age
29 or older shall allow any person less than sixteen years of age to oper-
30 ate or ride as a passenger upon such scooter. A police officer shall
31 only issue a summons for a violation of this subdivision by a person
32 less than sixteen years of age to the parent or guardian of such person
33 if the violation by such person occurs in the presence of such person's
34 parent or guardian and where such parent or guardian is eighteen years
35 of age or more. Such summons shall only be issued to such parent or
36 guardian, and shall not be issued to the person less than sixteen years
37 of age.

38 5. No person shall operate an electric scooter on a sidewalk, except
39 as may be authorized by a local law or ordinance adopted by a city, town
40 or village having jurisdiction over such sidewalk including parking on
41 certain sidewalks within such city, town or village in compliance with
42 the federal Americans with Disabilities Act of 1990, as amended (Public
43 Law 101-336).

44 6. (a) No person shall operate an electric scooter on any public lands
45 or property, other than a highway exclusive of any greenway running
46 adjacent to or connected with a highway, except that an electric scooter
47 may be operated on any such lands that have been designated and posted
48 for travel by electric scooters in accordance with the provisions of
49 paragraph (b) of this subdivision. For the purposes of this subdivision,
50 the term "greenway" shall have the same meaning as such term is defined
51 by subdivision seven of section 44-0103 of the environmental conserva-
52 tion law and subdivision one of section 39.03 of the parks, recreation
53 and historic preservation law.

54 (b) A state agency, by regulation or order, and a city, town or
55 village, by local law or ordinance, may designate any appropriate public
56 lands and properties under its jurisdiction, other than highways exclu-

1 sive of any greenway running adjacent to or connected with a highway, as
2 a place open for travel by electric scooters upon written request for
3 such designation by any person, and may impose restrictions and condi-
4 tions for the regulation and safe operation of electric scooters on such
5 public lands or property, such as travel on designated trails and hours
6 of operation.

7 7. (a) No person, firm, association or corporation engaged in the
8 business of selling or leasing electric scooters shall sell or lease any
9 electric scooter on or after June first, two thousand twenty-one unless
10 such electric scooter has in a prominent location, a manufacturer's
11 label which shall include the following information: the maximum motor-
12 assisted speed, the number of persons for which such electric scooter is
13 designed and equipped, and motor wattage of such electric scooter.
14 Manufacturers and distributors of electric scooters shall, by April
15 first, two thousand twenty-one, establish a process by which an owner of
16 an electric scooter may request and obtain a manufacturer's label
17 providing the maximum motor-assisted speed, the number of persons for
18 which such electric scooter is designed and equipped, and motor wattage
19 applicable to his or her electric scooter purchased prior to June first,
20 two thousand twenty-one and installation instructions, from such
21 manufacturers and distributors.

22 (b) No person shall operate an electric scooter on any public highway
23 or street in this state after June first, two thousand twenty-one unless
24 such electric scooter has in a prominent location, a manufacturer's
25 label providing the maximum motor-assisted speed, the number of persons
26 for which such electric scooter is designed and equipped, and motor
27 wattage of such electric scooter. Any person who violates the provisions
28 of this paragraph shall be punished by a civil fine of up to fifty
29 dollars. The court shall waive any fine for which a person who violates
30 the provisions of this paragraph would be liable if such person supplies
31 the court with proof that, between the date on which he or she is
32 charged with having violated this paragraph and the appearance date for
33 such violation, a manufacturer's label was affixed to his or her elec-
34 tric scooter as required by this paragraph. Provided, however, that such
35 waiver of fine shall not apply to a second or subsequent conviction
36 under this paragraph.

37 8. (a) The governing body of any city, town or village may, by local
38 law, ordinance, order, rule or regulation, authorize and regulate shared
39 electric scooter systems within such city, town or village. No such
40 shared systems shall operate within a city, town or village except as
41 authorized by such local law, ordinance, order, rule or regulation. No
42 such shared electric scooter system shall operate on public highways in
43 a county with a population of no less than one million five hundred
44 eighty-six thousand and no more than one million five hundred eighty-
45 seven thousand as of the two thousand ten decennial census. For the
46 purposes of this subdivision, the term shared electric scooter system
47 shall mean a network of self-service and publicly available electric
48 scooters, and related infrastructure, in which an electric scooter trip
49 begins and/or ends on any public highway.

50 (b) Notwithstanding any other provision of law to the contrary, all
51 trip data, personal information, images, videos, and other recorded
52 images collected by any shared electric scooter system which is author-
53 ized to operate within a city, town or village pursuant to this section:
54 (i) shall be for the exclusive use of such shared electric scooter
55 system and shall not be sold, distributed or otherwise made available
56 for any commercial purpose and (ii) shall not be disclosed or otherwise

1 made accessible except: (1) to the person who is the subject of such
2 data, information or record; or (2) if necessary to comply with a lawful
3 court order, judicial warrant signed by a judge appointed pursuant to
4 article III of the United States constitution, or subpoena for individ-
5 ual data, information or records properly issued pursuant to the crimi-
6 nal procedure law or the civil practice law and rules. Provided, howev-
7 er, that nothing contained in this paragraph shall be deemed to preclude
8 the exchange of such data, information or recorded images solely for the
9 purpose of administering such authorized shared system.

10 § 1283. Clinging to vehicles. 1. No person operating an electric
11 scooter shall attach such scooter, or himself or herself, to any vehicle
12 being operated upon a roadway.

13 2. No vehicle operator shall knowingly permit any person to attach any
14 electric scooter or himself or herself to such operator's vehicle in
15 violation of subdivision one of this section.

16 § 1284. Riding on roadways, shoulders, and lanes reserved for non-mo-
17 torized vehicles and devices. 1. Upon all roadways, any electric scooter
18 shall be operated either on a usable bicycle or in-line skate lane or,
19 if a usable bicycle or in-line skate lane has not been provided, near
20 the right-hand curb or edge of the roadway or upon a usable right-hand
21 shoulder in such a manner as to prevent undue interference with the flow
22 of traffic except when preparing for a left turn or when reasonably
23 necessary to avoid conditions that would make it unsafe to continue
24 along near the right-hand curb or edge. Conditions to be taken into
25 consideration include, but are not limited to, fixed or moving objects,
26 vehicles, bicycles, in-line skates, pedestrians, animals, surface
27 hazards or traffic lanes too narrow for a person operating an electric
28 scooter and a vehicle to travel safely side-by-side within the lane.

29 2. Persons operating electric scooters upon a roadway shall ride
30 single file. Persons operating electric scooters upon a shoulder, bicy-
31 cle or in-line skate lane, or bicycle or in-line skate path intended for
32 the use of bicycles, in-line skates or electric scooters may ride two or
33 more abreast if sufficient space is available, except that when passing
34 a vehicle, bicycle, electric personal assistive mobility device, person
35 on in-line skates or pedestrian standing or proceeding along such shoul-
36 der, lane or path, persons operating electric scooters shall operate
37 such scooters single file.

38 3. Any person operating an electric scooter who is entering a roadway
39 from a private road, driveway, alley or over a curb shall come to a full
40 stop before entering the roadway.

41 § 1285. Lamps and other equipment. 1. Every electric scooter when in
42 use during the period from one-half hour after sunset to one-half hour
43 before sunrise shall be equipped with a lamp on the front which shall
44 emit a white light visible during hours of darkness from a distance of
45 at least five hundred feet to the front and with a red light visible to
46 the rear for three hundred feet.

47 2. No person shall operate an electric scooter unless such scooter is
48 equipped with a bell or other device capable of giving a signal audible
49 for a distance of at least one hundred feet, except that an electric
50 scooter shall not be equipped with nor shall any person use upon an
51 electric scooter any siren or whistle.

52 3. Every electric scooter shall be equipped with a brake which will
53 enable the operator to make the braked wheels skid on dry, level, clean
54 pavement.

55 § 1286. Leaving the scene of an incident involving an electric scooter
56 without reporting in the second degree. 1. Any person age eighteen years

1 or older operating an electric scooter who, knowing or having cause to
2 know, that physical injury, as defined in subdivision nine of section
3 10.00 of the penal law, has been caused to another person, due to the
4 operation of such electric scooter by such person, shall, before leaving
5 the place where such physical injury occurred, stop, and provide his or
6 her name and residence, including street and street number, to the
7 injured party, if practical, and also to a police officer, or in the
8 event that no police officer is in the vicinity of the place of said
9 injury, then such person shall report such incident as soon as phys-
10 ically able to the nearest police station or judicial officer.

11 2. Leaving the scene of an incident involving an electric scooter
12 without reporting in the second degree is a violation.

13 § 1287. Leaving the scene of an incident involving an electric scooter
14 without reporting in the first degree. 1. Any person age eighteen years
15 or older operating an electric scooter who, knowing or having cause to
16 know, that serious physical injury, as defined in subdivision ten of
17 section 10.00 of the penal law, has been caused to another person, due
18 to the operation of such electric scooter by such person, shall, before
19 leaving the place where such serious physical injury occurred, stop, and
20 provide his or her name and residence, including street and street
21 number, to the injured party, if practical, and also to a police offi-
22 cer, or in the event that no police officer is in the vicinity of the
23 place of said injury, then such person shall report said incident as
24 soon as physically able to the nearest police station or judicial offi-
25 cer.

26 2. Leaving the scene of an incident involving an electric scooter
27 without reporting in the first degree is a class B misdemeanor.

28 § 7. Paragraph 3 of subdivision (a) of section 1642 of the vehicle and
29 traffic law is amended to read as follows:

30 3. The prohibition or regulation of the use of any highway by partic-
31 ular vehicles or classes or types thereof, bicycles with electric
32 assist, or devices moved by human power.

33 § 7-a. Paragraph 3 of subdivision (a) of section 1642 of the vehicle
34 and traffic law, as amended by section seven of this act, is amended to
35 read as follows:

36 3. The prohibition or regulation of the use of any highway by partic-
37 ular vehicles or classes or types thereof, bicycles with electric
38 assist, electric scooters, or devices moved by human power.

39 § 8. The provisions of article 34-D of the vehicle and traffic law as
40 added by section six of this act shall not apply in a city with a popu-
41 lation of one million or more.

42 § 9. This act shall take effect on the one hundred eightieth day after
43 it shall have become a law; provided, however, that sections three-a,
44 four-a and seven-a shall take effect on the two hundred seventieth day
45 after this act shall have become a law; provided, further that section
46 eight of this act shall expire and be deemed repealed two hundred seven-
47 ty days after it shall have become a law. Effective immediately, the
48 addition, amendment and/or repeal of any rule or regulation necessary
49 for the implementation of this act on its effective date are authorized
50 to be made and completed on or before such effective date.