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Introduced by M. of A. ROZIC, FAHY, D. ROSENTHAL, WALLACE, McMAHON, DE LA ROSA, BLAKE, RYAN, CRESPO, SIMOTAS, DILAN, VANEL, DenDEKKER, BRAUNSTEIN, PHEFFER AMATO, LUPARDO, SANTABARBARA, HYNDMAN, MOSLEY, McDONALD, JACOBSON, FERNANDEZ, SAYEGH, COLTON, CRUZ, EICHENSTEIN, DeSTEFANO, ORTIZ, WOERNER, REYES, BARRON, LAVINE, HUNTER, BRONSON, MORINELLO, STERN, RAYNOR, BURKE, McDONOUGH, RODRIGUEZ, ROMEO, BUTTENS-CHON, JEAN-PIERRE, PICHARDO, D'URSO, WEPRIN, DICKENS, B. MILLER, JONES, GRIFFIN, STECK, LIFTON, SOLAGES, BUCHWALD, CUSICK, M. L. MILLER, PAULIN -- Multi-Sponsored by -- M. of A. HEVESI, LENTOL -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- 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.

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

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

5 (c) "Class three bicycle with electric assist." Solely within a city
6 having a population of one million or more, a bicycle with electric
7 assist having an electric motor that may be used exclusively to propel
8 such bicycle, and that is not capable of providing assistance when such
9 bicycle reaches a speed of twenty-five miles per hour.

10 § 2. The vehicle and traffic law is amended by adding a new section
11 114-e to read as follows:

12 § 114-e. Electric scooter. Every device weighing less than one hundred
13 pounds that (a) has handlebars, a floorboard that can be stood upon by
14 the operator, and an electric motor, (b) can be powered by the electric
15 motor and/or human power, and (c) has a maximum speed of no more than
16 twenty miles per hour on a paved level surface when powered solely by
17 the electric motor.

18 § 3. Section 125 of the vehicle and traffic law, as amended by chapter
19 365 of the laws of 2008, is amended to read as follows:

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

40 § 3-a. Section 125 of the vehicle and traffic law, as amended by
41 section three of this act, is amended to read as follows:

42 § 125. Motor vehicles. Every vehicle operated or driven upon a public
43 highway which is propelled by any power other than muscular power,
44 except (a) electrically-driven mobility assistance devices operated or
45 driven by a person with a disability, (a-1) electric personal assistive
46 mobility devices operated outside a city with a population of one
47 million or more, (b) vehicles which run only upon rails or tracks, (c)
48 snowmobiles as defined in article forty-seven of this chapter, (d) all
49 terrain vehicles as defined in article forty-eight-B of this chapter,
50 (e) bicycles with electric assist as defined in section one hundred
51 two-c of this article, and (f) electric scooters as defined in section
52 one hundred fourteen-e of this article ~~[operated outside a city with a~~
53 ~~population of one million or more]~~. For the purposes of title four of
54 this chapter, the term motor vehicle shall exclude fire and police vehi-
55 cles other than ambulances. For the purposes of titles four and five of
56 this chapter the term motor vehicles shall exclude farm type tractors

1 and all terrain type vehicles used exclusively for agricultural
2 purposes, or for snow plowing, other than for hire, farm equipment,
3 including self-propelled machines used exclusively in growing, harvest-
4 ing or handling farm produce, and self-propelled caterpillar or crawl-
5 er-type equipment while being operated on the contract site.

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

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

15 § 4-a. Section 159 of the vehicle and traffic law, as amended by
16 section four of this act, is amended to read as follows:

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

24 § 5. The vehicle and traffic law is amended by adding two new sections
25 1242 and 1243 to read as follows:

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

34 2. Notwithstanding the provisions of section twelve hundred thirty-
35 eight of this article, no person less than sixteen years of age shall
36 operate or ride as a passenger upon a bicycle with electric assist, and
37 no person sixteen years of age or older shall allow any person less than
38 sixteen years of age to operate or ride as a passenger upon such bicy-
39 cle. The provisions of subdivision seven of section twelve hundred thir-
40 ty-eight of this article shall be applicable to this subdivision.

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

46 4. (a) No person shall operate a bicycle with electric assist on any
47 public lands or property, other than a highway exclusive of any greenway
48 running adjacent to or connected with a highway, except that a bicycle
49 with electric assist may be operated on any such lands that have been
50 designated and posted for travel by bicycles with electric assist in
51 accordance with the provisions of paragraph (b) of this subdivision. For
52 the purposes of this subdivision, the term "greenway" shall have the
53 same meaning as such term is defined by subdivision seven of section
54 44-0103 of the environmental conservation law and subdivision one of
55 section 39.03 of the parks, recreation and historic preservation law.

1 (b) A state agency, by regulation or order, and a city, town or
2 village, by local law or ordinance, may designate any appropriate public
3 lands and properties under its jurisdiction, other than highways exclu-
4 sive of any greenway running adjacent to or connected with a highway, as
5 a place open for travel by bicycles with electric assist upon written
6 request for such designation by any person, and may impose restrictions
7 and conditions for the regulation and safe operation of bicycles with
8 electric assist on such public lands or property, such as travel on
9 designated trails and hours of operation.

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

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

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

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

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

53 8. A police officer shall only issue a summons for a violation of this
54 section by a person less than sixteen years of age to the parent or
55 guardian of such person if the violation by such person occurs in the
56 presence of such person's parent or guardian and where such parent or

guardian is eighteen years of age or older. Such summons shall only be issued to such parent or guardian, and shall not be issued to the person less than sixteen years of age.

§ 1243. Shared bicycle and shared bicycle with electric assist systems; data protection. 1. The governing body of any city, town or village may, by local law, ordinance, order, rule or regulation, authorize and regulate shared bicycle systems or shared bicycle with electric assist systems within such city, town or village. No such shared systems shall operate within a city, town or village except as authorized by such local law, ordinance, order, rule or regulation. For the purposes of this subdivision, the term shared bicycle system or shared bicycle with electric assist system shall mean a network of self-service and publicly available bicycles or bicycles with electric assist in which a bicycle or bicycle with electric assist trip begins and/or ends on any public highway.

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

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

ARTICLE 34-D

OPERATION OF ELECTRIC SCOOTERS

Section 1280. Effect of regulations.

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

1282. Operating electric scooters.

1283. Clinging to vehicles.

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

1285. Lamps and other equipment.

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

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

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

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

6 § 1281. Traffic laws apply to persons operating electric scooters;
7 local laws. 1. Every person riding an electric scooter upon a roadway
8 shall be granted all of the rights and shall be subject to all of the
9 duties applicable to the driver of a vehicle and the rider of a bicycle
10 by this title, except as to special regulations in this article and
11 except as to those provisions of this title which by their nature can
12 have no application.

13 2. The governing body of any city, town or village may, by local law
14 or ordinance, further regulate the time, place and manner of the opera-
15 tion of electric scooters, and may limit, prohibit the use thereof in
16 specified areas, or prohibit entirely the use of electric scooters with-
17 in such city, town, or village.

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

24 § 1282. Operating electric scooters. 1. No electric scooter shall be
25 used to carry more persons at one time than the number for which such
26 device is designed and equipped. No person operating an electric scooter
27 shall carry any person as a passenger in a pack fastened to the operator
28 or fastened to the electric scooter.

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

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

35 4. No person less than sixteen years of age shall operate or ride as a
36 passenger upon an electric scooter, and no person sixteen years of age
37 or older shall allow any person less than sixteen years of age to oper-
38 ate or ride as a passenger upon such scooter. A police officer shall
39 only issue a summons for a violation of this subdivision by a person
40 less than sixteen years of age to the parent or guardian of such person
41 if the violation by such person occurs in the presence of such person's
42 parent or guardian and where such parent or guardian is eighteen years
43 of age or more. Such summons shall only be issued to such parent or
44 guardian, and shall not be issued to the person less than sixteen years
45 of age.

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

52 6. (a) No person shall operate an electric scooter on any public lands
53 or property, other than a highway exclusive of any greenway running
54 adjacent to or connected with a highway, except that an electric scooter
55 may be operated on any such lands that have been designated and posted
56 for travel by electric scooters in accordance with the provisions of

1 paragraph (b) of this subdivision. For the purposes of this subdivision,
2 the term "greenway" shall have the same meaning as such term is defined
3 by subdivision seven of section 44-0103 of the environmental conserva-
4 tion law and subdivision one of section 39.03 of the parks, recreation
5 and historic preservation law.

6 (b) A state agency, by regulation or order, and a city, town or
7 village, by local law or ordinance, may designate any appropriate public
8 lands and properties under its jurisdiction, other than highways exclu-
9 sive of any greenway running adjacent to or connected with a highway, as
10 a place open for travel by electric scooters upon written request for
11 such designation by any person, and may impose restrictions and condi-
12 tions for the regulation and safe operation of electric scooters on such
13 public lands or property, such as travel on designated trails and hours
14 of operation.

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

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

45 8. (a) The governing body of any city, town or village may, by local
46 law, ordinance, order, rule or regulation, authorize and regulate shared
47 electric scooter systems within such city, town or village. No such
48 shared systems shall operate within a city, town or village except as
49 authorized by such local law, ordinance, order, rule or regulation. No
50 such shared electric scooter system shall operate on public highways in
51 a county with a population of no less than one million five hundred
52 eighty-six thousand and no more than one million five hundred eighty-
53 seven thousand as of the two thousand ten decennial census. For the
54 purposes of this subdivision, the term shared electric scooter system
55 shall mean a network of self-service and publicly available electric

1 scooters, and related infrastructure, in which an electric scooter trip
2 begins and/or ends on any public highway.

3 (b) Notwithstanding any other provision of law to the contrary, all
4 trip data, personal information, images, videos, and other recorded
5 images collected by any shared electric scooter system which is author-
6 ized to operate within a city, town or village pursuant to this section:

7 (i) shall be for the exclusive use of such shared electric scooter
8 system and shall not be sold, distributed or otherwise made available
9 for any commercial purpose and (ii) shall not be disclosed or otherwise
10 made accessible except: (1) to the person who is the subject of such
11 data, information or record; or (2) if necessary to comply with a lawful
12 court order, judicial warrant signed by a judge appointed pursuant to
13 article III of the United States constitution, or subpoena for individ-
14 ual data, information or records properly issued pursuant to the crimi-
15 nal procedure law or the civil practice law and rules. Provided, howev-
16 er, that nothing contained in this paragraph shall be deemed to preclude
17 the exchange of such data, information or recorded images solely for the
18 purpose of administering such authorized shared system.

19 § 1283. Clinging to vehicles. 1. No person operating an electric
20 scooter shall attach such scooter, or himself or herself, to any vehicle
21 being operated upon a roadway.

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

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

38 2. Persons operating electric scooters upon a roadway shall ride
39 single file. Persons operating electric scooters upon a shoulder, bicy-
40 cle or in-line skate lane, or bicycle or in-line skate path intended for
41 the use of bicycles, in-line skates or electric scooters may ride two or
42 more abreast if sufficient space is available, except that when passing
43 a vehicle, bicycle, electric personal assistive mobility device, person
44 on in-line skates or pedestrian standing or proceeding along such shoul-
45 der, lane or path, persons operating electric scooters shall operate
46 such scooters single file.

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

50 § 1285. Lamps and other equipment. 1. Every electric scooter when in
51 use during the period from one-half hour after sunset to one-half hour
52 before sunrise shall be equipped with a lamp on the front which shall
53 emit a white light visible during hours of darkness from a distance of
54 at least five hundred feet to the front and with a red light visible to
55 the rear for three hundred feet.

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

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

9 § 1286. Leaving the scene of an incident involving an electric scooter
10 without reporting in the second degree. 1. Any person age eighteen years
11 or older operating an electric scooter who, knowing or having cause to
12 know, that physical injury, as defined in subdivision nine of section
13 10.00 of the penal law, has been caused to another person, due to the
14 operation of such electric scooter by such person, shall, before leaving
15 the place where such physical injury occurred, stop, and provide his or
16 her name and residence, including street and street number, to the
17 injured party, if practical, and also to a police officer, or in the
18 event that no police officer is in the vicinity of the place of said
19 injury, then such person shall report such incident as soon as phys-
20 ically able to the nearest police station or judicial officer.

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

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

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

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

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

43 § 7-a. Paragraph 3 of subdivision (a) of section 1642 of the vehicle
44 and traffic law, as amended by section seven of this act, is amended to
45 read as follows:

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

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

52 § 9. This act shall take effect on the one hundred eightieth day after
53 it shall have become a law; provided, however, that sections three-a,
54 four-a and seven-a shall take effect on the two hundred seventieth day
55 after this act shall have become a law; provided, further that section
56 eight of this act shall expire and be deemed repealed two hundred seven-

1 ty days after it shall have become a law. Effective immediately, the
2 addition, amendment and/or repeal of any rule or regulation necessary
3 for the implementation of this act on its effective date are authorized
4 to be made and completed on or before such effective date.