STATE OF NEW YORK

3912

2021-2022 Regular Sessions

IN SENATE

February 1, 2021

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing an amnesty program for any person who has received a ticket for operation of an electric assisted bicycle and providing an exception from the registration requirement of motor vehicles for electric assisted bicycles; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The vehicle and traffic law is amended by adding a new section 401-c to read as follows:

§ 401-c. Electric assisted bicycle amnesty program. 1. Notwithstanding any provision of law to the contrary, the department of motor vehicles shall establish an amnesty program for any individual who has been issued a ticket for a violation of section four hundred one of this article while operating an electric assisted bicycle. Such amnesty program shall allow any person charged with a fine, fee or other penalty for a violation of section four hundred one of this article to have such fine, fee or other penalty waived for a period of three hundred sixty-five days from the establishment of such amnesty program.

2. Notwithstanding any provision of law to the contrary, it shall not be a violation of section four hundred one of this article for an electric assisted bicycle to be operated or driven upon the public highways of this state without first being registered in accordance with the provisions of this article.

3. As used in this section, the term "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

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

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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.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed one year after such date.