

# STATE OF NEW YORK

7204

2021-2022 Regular Sessions

## IN SENATE

June 7, 2021

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

AN ACT to amend the vehicle and traffic law, in relation to establishing a bicycle and electric scooter operator's safety manual and licensing requirement

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 article 12-E to read as follows:

### ARTICLE 12-E

#### BICYCLE AND ELECTRIC SCOOTER SAFETY EDUCATION COURSE AND LICENSE

5 Section 399-u. Bicycle and electric scooter operator's safety manual.

6 399-v. License for the operation of a bicycle, bicycle with electric  
7 assist and electric scooter.

8 399-w. Rules and regulations.

9 § 399-u. Bicycle and electric scooter operator's safety manual. The  
10 commissioner shall develop and publish a bicycle and electric scooter  
11 operator's safety manual that shall be available for distribution and  
12 accessible on the department's website. The manual shall include but  
13 not be limited to the following:

14 (a) an overview of traffic laws governing bicycles, bicycles with  
15 electric assist and electric scooters;

16 (b) the safe operation of bicycles, bicycles with electric assist and  
17 electric scooters;

18 (c) bicycle lanes as defined in section one hundred two-a of this  
19 chapter; and

20 (d) obligations to comply with traffic control devices and markings  
21 related to bicyclists, electric scooter operators and pedestrians.

22 § 399-v. License for the operation of a bicycle, bicycle with electric  
23 assist and electric scooter. 1. Upon successful comprehension of the  
24 bicycle and electric scooter operator's safety manual, a resident may  
25 then make an application to receive a license for the operation of a  
26 bicycle, bicycle with electric assist and electric scooter.

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

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1 2. (a) An application for such license shall be made to the commis-  
2 sioner and shall require an applicant to furnish proof of identity, age,  
3 fitness and any other information required by the commissioner. Such  
4 application may also require a photographic image of the applicant.

5 (b) A nominal fee may be prescribed by the commissioner for the issu-  
6 ance, renewal and amendment of a license.

7 (c) A license shall be valid from the date of issuance until a date of  
8 expiration as determined by the commissioner.

9 § 399-w. Rules and regulations. The commissioner shall promulgate such  
10 rules and regulations as are necessary to effectuate the provisions of  
11 this article. In addition to any requirements expressly authorized by  
12 this article, such regulations may include but not be limited to vali-  
13 dating that a person has read and comprehends the the department's bicy-  
14 cle and electric scooter operator's safety manual.

15 § 2. Subdivision 1 of section 504 of the vehicle and traffic law is  
16 amended by adding a new paragraph (a-2) to read as follows:

17 (a-2) Every license or renewal thereof issued to an applicant who has  
18 a license for the operation of a bicycle, bicycle with electric assist  
19 and electric scooter and after submission of proof as set forth in this  
20 paragraph shall contain a distinguishing mark, in such form as the  
21 commissioner shall determine, indicating that he or she has read and  
22 comprehends the bicycle and electric scooter operator's safety manual.  
23 Such proof shall consist of a license for the operation of a bicycle,  
24 bicycle with electric assist and electric scooter that is provided  
25 pursuant to section three hundred ninety-nine-v of this chapter. The  
26 commissioner shall not require fees for the issuance of such licenses or  
27 renewals thereof containing a bicycle and electric scooter operator's  
28 safety manual comprehension distinguishing mark which are different from  
29 fees otherwise required; provided, however, that notwithstanding the  
30 provisions of this section, the commissioner shall not require fees for  
31 a duplication or amendment of a license prior to its renewal if such  
32 duplication or amendment was solely for the purpose of adding a bicycle  
33 and electric scooter operator's safety manual comprehension distinguish-  
34 ing mark to such license.

35 § 3. The vehicle and traffic law is amended by adding a new section  
36 1244 to read as follows:

37 § 1244. Operation of a bicycle or bicycle with electric assist is  
38 prohibited without a license. No person shall operate a bicycle or bicy-  
39 cle with electric assist on a public roadway in a city with a population  
40 of one million or more unless the operator is a holder of a license for  
41 the operation of a bicycle, bicycle with electric assist and electric  
42 scooter issued to him or her pursuant to article twelve-E of this chap-  
43 ter.

44 § 4. The vehicle and traffic law is amended by adding a new section  
45 1290 to read as follows:

46 § 1290. Operation of an electric scooter is prohibited without a  
47 license. No person shall operate an electric scooter on a public roadway  
48 in a city with a population of one million or more unless the operator  
49 is a holder of a license for the operation of a bicycle, bicycle with  
50 electric assist and electric scooter issued to him or her pursuant to  
51 article twelve-E of this chapter.

52 § 5. This act shall take effect on the one hundred twentieth day after  
53 it shall have become a law. Effective immediately, the addition, amend-  
54 ment and/or repeal of any rule or regulation necessary for the implemen-  
55 tation of this act on its effective date are authorized to be made on or  
56 before such date.