

STATE OF NEW YORK

8145

2023-2024 Regular Sessions

IN ASSEMBLY

October 13, 2023

Introduced by M. of A. PIROZZOLO -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to enacting the
"responsible implementation of e-bike regulations for safe cycling
(RIDERS) act"; and to repeal certain provisions of the vehicle and
traffic law, relating to motor-assisted vehicles

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

1 Section 1. Short title. This act may be known and shall be cited as
2 the "responsible implementation of e-bike regulations for safe cycling
3 (RIDERS) act."

4 § 2. The vehicle and traffic law is amended by adding two new sections
5 114-f and 114-g to read as follows:

6 § 114-f. Electric skateboard. Every device weighing less than one
7 hundred pounds that:

8 (a) may have handlebars, a floorboard designed to be stood upon by the
9 operator that is no more than sixty inches long and eighteen inches
10 wide, and an electric motor;

11 (b) can be powered by an electric motor and/or human power;

12 (c) is designed to transport only one person at a time; and

13 (d) has a maximum speed of no more than twenty-five miles per hour on
14 a paved level surface when powered solely by the electric motor.

15 § 114-g. Electric personal mobility device. Such device shall include,
16 but not be limited to, an electric bicycle with assist as defined in
17 section one hundred two-c of this article, electric scooter as defined
18 in section one hundred fourteen-e of this article and an electric skate-
19 board as defined in section one hundred fourteen-f of this article.

20 § 3. Subdivision (c) of section 102-c of the vehicle and traffic law,
21 as added by section 1 of part XX of chapter 58 of the laws of 2020, is
22 amended to read as follows:

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

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

6 § 4. Section 2268 of the vehicle and traffic law is REPEALED.

7 § 5. The vehicle and traffic law is amended by adding a new article
 8 15-B to read as follows:

9 ARTICLE 15-B

10 REGISTRATION OF ELECTRIC PERSONAL MOBILITY DEVICES

11 Section 414-a. Registration of electric personal mobility devices.

12 § 414-a. Registration of electric personal mobility devices. 1. No
 13 electric personal mobility device shall be operated and driven upon
 14 public highways of this state without first being registered with the
 15 provisions of this section, except as otherwise expressly provided in
 16 this chapter. The commissioner is directed to create a new registration
 17 category and process for electric personal mobility devices. Such
 18 registration category shall apply to all types of electric personal
 19 mobility devices, including, but not limited to, bicycles with electric
 20 assist, electric scooters, and electric skateboards provided that such
 21 devices have the ability to meet or exceed a speed of twenty miles per
 22 hour while using motorized power. The commissioner shall also have the
 23 authority to add additional types of electric personal mobility devices
 24 to the list of authorized devices required to be registered, insured,
 25 and only operated by a licensed operator.

26 2. The commissioner is directed to coordinate with electric personal
 27 mobility device manufacturers to develop a unique identifier to be
 28 permanently affixed in plain view on such devices before purchase. Such
 29 devices purchased or manufactured before the effective date of this
 30 section shall not require a unique identifier. Owners of such devices
 31 shall be liable under the specific provisions of this law, including,
 32 but not limited to, licensure and registration of such devices.

33 3. The violation of any of the provisions of this section shall be
 34 punishable by a fine of not less than fifty nor more than three hundred
 35 seventy-five dollars, and confiscation of such electric personal mobili-
 36 ty device for a period of thirty days, provided, however that in the
 37 event of confiscation, the licensee or a parent or guardian of the oper-
 38 ator of such device shall have thirty days after repossession to obtain
 39 proper registration and/or licensure of the device. In the event of
 40 failure to obtain proper registration and/or licensure of the device
 41 within thirty days, the department may suspend the operator's license to
 42 operate such device and/or confiscate the device until the owner can
 43 furnish proof of proper registration and licensure.

44 4. (a) No person under the age of sixteen shall operate an electric
 45 personal mobility device, as defined in section one hundred fourteen-g
 46 of this chapter. Any person under the age of sixteen may sit as a
 47 passenger on a class two or class three bicycle with electric assist as
 48 defined in section one hundred two-c of this chapter, provided such
 49 bicycle is equipped or designed to carry a passenger.

50 (b) No person shall operate or sit as a passenger on an electric
 51 personal mobility device, unless such person is wearing protective head-
 52 gear that conforms to the minimum specifications established for bicycle
 53 helmets by the United States Consumer Product Safety Commission or the
 54 American Society for Testing and Materials.

55 5. An electric personal mobility device may be ridden in places where
 56 bicycles are allowed, including, but not limited to, streets, roadways,

1 highways, shoulders, bicycle lanes, and bicycle or multi-use paths.
2 Following notice and at least one public hearing, a county, municipi-
3 ality, or other political subdivision of the state that has jurisdic-
4 tion over a bicycle or multi-use path may prohibit the operation of
5 electric personal mobility devices on bicycle or multi-use paths if it
6 is found that the prohibition is needed for safety reasons or compliance
7 with local laws or ordinances.

8 6. (a) The commissioner shall submit on or before January first, two
9 thousand twenty-five, and annually thereafter, an annual report to the
10 governor, the speaker of the assembly, the temporary president of the
11 senate, the minority leader of the senate, and the minority leader of
12 the assembly on the number of electric personal mobility devices regis-
13 tered, annual data on any violations of this law by unlicensed or unreg-
14 istered operation, number of criminal citations issued related to such
15 electric personal mobility devices and revenues collected pursuant to
16 this section.

17 (b) Such report shall include, but not be limited to, recommendations
18 on how to improve the effectiveness of this section for the purposes of
19 increased user and pedestrian safety, as well as recommendations on the
20 issue of fire safety and maintenance.

21 § 6. This act shall take effect on the one hundred twentieth day after
22 it shall have become a law.