STATE OF NEW YORK

1376

2023-2024 Regular Sessions

IN SENATE

January 11, 2023

Introduced by Sen. FELDER -- 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 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:

Section 1. The vehicle and traffic law is amended by adding a new article 12-E to read as follows:

ARTICLE 12-E

BICYCLE AND ELECTRIC SCOOTER SAFETY EDUCATION COURSE AND LICENSE

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

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

399-w. Rules and regulations.

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

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

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

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

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

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

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

LBD02944-01-3

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

(b) A nominal fee may be prescribed by the commissioner for the issuance, renewal and amendment of a license.

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

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

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

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

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

§ 1244. Operation of a bicycle or bicycle with electric assist is prohibited without a license. No person shall operate a bicycle or bicycle with electric assist on a public roadway in a city with a population of one million or more unless the operator is a holder of a license for the operation of a bicycle, bicycle with electric assist and electric scooter issued to him or her pursuant to article twelve-E of this chapter.

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

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

§ 5. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.