

STATE OF NEW YORK

7744

2023-2024 Regular Sessions

IN SENATE

November 13, 2023

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

AN ACT to amend the general business law, in relation to the sale of bicycles and scooters with electric assist

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

1 Section 1. The general business law is amended by adding a new section
2 391-cc to read as follows:

3 § 391-cc. Sale of bicycles and scooters with electric assist. 1. No
4 manufacturer shall sell or offer for sale any bicycles with electric
5 assist or lithium-ion electric batteries or any scooters with electric
6 assist or lithium-ion electric batteries to any firm, corporation, or
7 person without supplying a notice to be affixed to such bicycle or
8 scooter with electric assist by the retailer or customer. Such notice
9 shall have an adhesive backing, be made from common materials used to
10 affix other comparable notices or stickers to vehicles and be printed in
11 English and the two most common non-English languages spoken in the
12 state, based on the data in the most recent American Community Survey
13 published by the United States Census Bureau. In addition to supplying
14 one such notice with each bicycle or scooter with electric assist, such
15 notices shall also be made available to any purchasing firm, corpo-
16 ration, or person upon request. Such notice shall read:

17 "NOTICE: In New York State, you cannot use this device on sidewalks or
18 on highways with speed limits over 30 MPH unless there is a sign or
19 public notice allowing it. Always yield to pedestrians and follow traf-
20 fic rules. Additional rules may apply depending on the city, town, or
21 village."

22 2. It shall be unlawful for any firm, corporation, or business entity
23 regularly engaged in the business of selling bicycles or scooters with
24 electric assist or lithium-ion electric batteries at retail to sell or
25 offer to sell any such bicycles, scooters, or batteries without having

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

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1 securely affixed a notice provided by the manufacturer as denoted in
2 subdivision one of this section in a manner clearly visible without the
3 aid of magnification or special devices.

4 3. The department of motor vehicles, in consultation with any and all
5 appropriate state agencies and governing bodies, shall promulgate any
6 rules and regulations necessary to implement the provisions of this
7 section.

8 4. Violation of this section by the retail entity pursuant subdivision
9 two of this section shall be punishable by a fine of not more than two
10 hundred fifty dollars for the first offense and not more than one thou-
11 sand dollars for each subsequent offense.

12 5. This section shall not annul, alter, affect, or exempt any person,
13 firm, partnership, corporation, association, company, or organization
14 subject to the provisions of this section from complying with the laws,
15 ordinances, rules, or regulations of any locality, relating to the
16 affixing, labeling, or provision of identification, safety, informa-
17 tional, or other materials.

18 § 2. This act shall take effect on the one hundred eightieth day after
19 it shall have become a law. Effective immediately, the addition, amend-
20 ment and/or repeal of any rule or regulation necessary for the implemen-
21 tation of this act on its effective date are authorized to be made and
22 completed on or before such effective date.