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 Assembly, do enact as follows:

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

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

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

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

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

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

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

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

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

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

LBD13340-02-3

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

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 Section 2268 of the vehicle and traffic law is REPEALED.

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

ARTICLE 15-B

REGISTRATION OF ELECTRIC PERSONAL MOBILITY DEVICES

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

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

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

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

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

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

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

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

6. (a) The commissioner shall submit on or before January first, two thousand twenty-five, and annually thereafter, an annual report to the governor, the speaker of the assembly, the temporary president of the senate, the minority leader of the senate, and the minority leader of the assembly on the number of electric personal mobility devices registered, annual data on any violations of this law by unlicensed or unregistered operation, number of criminal citations issued related to such electric personal mobility devices and revenues collected pursuant to this section.

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

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