

STATE OF NEW YORK

9419

IN SENATE

May 15, 2024

Introduced by Sens. COONEY, ADDABBO, KRUEGER -- 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 reporting accidents involving electric scooters and bicycles with electric assist

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

1 Section 1. Subdivision 1 of section 603 of the vehicle and traffic
2 law, as amended by chapter 432 of the laws of 1997, is amended to read
3 as follows:

4 1. Every police or judicial officer to whom an accident resulting in
5 injury to a person shall have been reported, pursuant to the foregoing
6 provisions of this chapter or pursuant to the provisions of sections
7 twelve hundred forty or twelve hundred forty-one of this chapter involv-
8 ing a bicycle with electric assist or pursuant to the provisions of
9 sections twelve hundred eighty-seven or twelve hundred eighty-eight of
10 this chapter, shall immediately investigate the facts, or cause the same
11 to be investigated, and report the matter to the commissioner forthwith;
12 provided, however, that the report of the accident is made to the police
13 officer or judicial officer within five days after such accident. Every
14 coroner, or other official performing like functions, shall likewise
15 make a report to the commissioner with respect to all deaths found to
16 have been the result of motor vehicle [~~or~~], motorcycle, electric scoot-
17 er, or bicycle with electric assist accidents. Such report shall include
18 information regarding the type or types of vehicles involved, including
19 passenger motor vehicles, commercial motor vehicles, motorcycles, limit-
20 ed use motorcycles, off-highway motorcycles, electric scooters, bicycles
21 with electric assist and/or bicycles. Such report shall include informa-
22 tion on the width and length of trucks, tractors, trailers and semi-
23 trailers, which are in excess of ninety-five inches in width or thirty-
24 four feet in length and which are involved in such accidents, whether
25 such accident took place in a work area and whether it was being oper-
26 ated with an overweight or overdimension permit. Such report shall

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

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1 distinctly indicate and include information as to whether the inflatable
2 restraint system inflated and deployed. Nothing contained in this
3 subdivision shall be deemed to preclude a police officer from reporting
4 any other accident which, in the judgment of such police officer, would
5 be required to be reported to the commissioner by the operator of a
6 vehicle pursuant to section six hundred five of this article.

7 § 2. The opening paragraph and paragraph (a) of subdivision 1 of
8 section 603-a of the vehicle and traffic law, as amended by chapter 489
9 of the laws of 2017, are amended to read as follows:

10 In addition to the requirements of section six hundred three of this
11 article, whenever a motor vehicle, bicycle with electric assist, or
12 electric scooter accident results in serious physical injury or death to
13 a person, and such accident either is discovered by a police officer, or
14 reported to a police officer within five days after such accident
15 occurred, the police shall conduct an investigation of such accident.

16 (a) Such investigation shall be conducted for the purposes of making a
17 determination of the following: the facts and circumstances of the acci-
18 dent; the type or types of vehicles involved, including passenger motor
19 vehicles, commercial motor vehicles, motorcycles, limited use motorcy-
20 cles, off-highway motorcycles, electric scooters, bicycles with electric
21 assist, and/or bicycles; whether pedestrians were involved; the contrib-
22 uting factor or factors; whether it can be determined if a violation or
23 violations of this chapter occurred, and if so, the specific provisions
24 of this chapter which were violated and by whom; and, the cause of such
25 accident, where such cause can be determined.

26 § 3. Section 604 of the vehicle and traffic law is amended to read as
27 follows:

28 § 604. Reports; contents; preparation; distribution; filing. Reports
29 of accidents required under [~~the preceding section~~] sections six hundred
30 three and six hundred three-a of this article, or under the rules and
31 regulations of the commissioner, shall be upon forms prepared by [~~him~~]
32 the commissioner and contain such information as [~~he~~] the commissioner
33 shall prescribe; provided, however, that the commissioner shall provide
34 space on such forms to indicate the type or types of vehicles involved,
35 including passenger motor vehicles, commercial motor vehicles, motorcy-
36 cles, limited use motorcycles, off-highway motorcycles, electric scoot-
37 ers, bicycles with electric assist, and/or bicycles. Blank forms for
38 such reports shall be printed by the commissioner and a supply sent to
39 all city, town and village clerks and to the chief officer of every city
40 police department for general distribution and use as herein provided.
41 Reports of accidents, required under the preceding section, shall be
42 sent to and filed with the commissioner at the main office of the bureau
43 of motor vehicles in the city of Albany, except as otherwise provided by
44 the rules and regulations of the commissioner.

45 § 4. Subdivisions (b) and (c) of section 605 of the vehicle and traf-
46 fic law, subdivision (b) as added by chapter 254 of the laws of 1989,
47 and subdivision (c) as amended by chapter 161 of the laws of 1996, are
48 amended to read as follows:

49 (b) Every person operating [~~a~~] an electric scooter or a bicycle which
50 is in any manner involved in an accident on a public highway in this
51 state in which any person is killed, other than the operator, or suffers
52 serious physical injury as defined pursuant to subdivision ten of
53 section 10.00 of the penal law, shall within ten days after such opera-
54 tor learns of the fact of such death or serious physical injury, report
55 the matter in writing to the commissioner. If such operator is phys-
56 ically incapable of making such report within ten days, he or she shall

1 make the report immediately upon recovery from the physical incapacity.
2 If such operator is an unemancipated minor who is incapable of making
3 such report for any reason, the parent or guardian of such operator
4 shall make such report within ten days after learning of the fact of
5 such accident. Every such operator of an electric scooter or a bicycle,
6 or parent or guardian of such unemancipated minor operator, shall make
7 such other and additional reports as the commissioner shall require.

8 (c) The report required by this section shall be made in such form and
9 number as the commissioner may prescribe. Such report shall include
10 information on the width and length of trucks, tractors, trailers and
11 semitrailers, which are in excess of ninety-five inches in width or
12 thirty-four feet in length and which are involved in such accidents,
13 whether such accident took place in a work area and whether it was being
14 operated with an overweight or over dimension permit. Such report shall
15 distinctly indicate and include information as to whether the inflatable
16 restraint system inflated and deployed. Such report shall include
17 information on the type or types of vehicles involved, including passen-
18 ger motor vehicles, commercial motor vehicles, motorcycles, limited use
19 motorcycles, off-highway motorcycles, electric scooters, bicycles with
20 electric assist, and/or bicycles.

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