

STATE OF NEW YORK

116

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. ZACCARO, SEAWRIGHT, BENEDETTO, GLICK, McDONOUGH,
NOVAKHOV -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing an electric scooter operator's safety manual and licensing requirement; to amend the vehicle and traffic law, in relation to requiring instruction in electric scooter safety as part of the drivers pre-licensing course; to amend the vehicle and traffic law and the insurance law, in relation to requiring liability insurance for electric scooters in cities having a population of one million or more; and to amend the vehicle and traffic law, in relation to requirements for the sale and purchase of electric scooters

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

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

ARTICLE 12-E

ELECTRIC SCOOTER SAFETY EDUCATION COURSE AND LICENSE

3 Section 399-aa. Electric scooter operator's safety manual.

4 399-bb. License for the operation of an electric scooter.

5 399-cc. Rules and regulations.

6 § 399-aa. Electric scooter operator's safety manual. The commissioner
7 shall develop and publish an electric scooter operator's safety manual
8 that shall be available for distribution and accessible on the depart-
9 ment's website. The manual shall include but not be limited to the
10 following:

11 (a) an overview of traffic laws governing electric scooters;

12 (b) the safe operation of electric scooters;

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

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

LBD00503-01-5

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

3 § 399-bb. License for the operation of an electric scooter. 1. Upon
4 successful comprehension of the electric scooter operator's safety manu-
5 al, a resident may then make an application to receive a license for the
6 operation of an electric scooter.

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

11 (b) A nominal fee may be prescribed by the commissioner for the issu-
12 ance, renewal or amendment of a license.

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

15 § 399-cc. Rules and regulations. The commissioner shall promulgate
16 such rules and regulations as are necessary to effectuate the provisions
17 of this article. In addition to any requirements expressly authorized by
18 this article, such regulations may include but not be limited to vali-
19 dating that a person has read and comprehends the department's electric
20 scooter operator's safety manual.

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

23 (a-2) Every license or renewal thereof issued to an applicant who has
24 a license for the operation of an electric scooter and after submission
25 of proof as set forth in this paragraph shall contain a distinguishing
26 mark, in such form as the commissioner shall determine, indicating that
27 the applicant has read and comprehends the electric scooter operator's
28 safety manual. Such proof shall consist of a license for the operation
29 of an electric scooter that is provided pursuant to section three
30 hundred ninety-nine-bb of this chapter. The commissioner shall not
31 require fees for the issuance of such licenses or renewals thereof
32 containing an electric scooter operator's safety manual comprehension
33 distinguishing mark which are different from fees otherwise required;
34 provided, however, that notwithstanding the provisions of this section,
35 the commissioner shall not require fees for a duplication or amendment
36 of a license prior to its renewal if such duplication or amendment was
37 solely for the purpose of adding an electric scooter operator's safety
38 manual comprehension distinguishing mark to such license.

39 § 3. The vehicle and traffic law is amended by adding a new section
40 1290 to read as follows:

41 § 1290. Operation of an electric scooter is prohibited without a
42 license. No person shall operate an electric scooter on a public roadway
43 in a city with a population of one million or more unless the operator
44 is a holder of a license for the operation of an electric scooter issued
45 to such operator pursuant to article twelve-E of this chapter.

46 § 4. Paragraphs (a), (b) and (d) of subdivision 4 of section 502 of
47 the vehicle and traffic law, paragraph (a) as amended by chapter 585 of
48 the laws of 2002, subparagraph (i) of paragraph (a), and paragraphs (b)
49 and (d) as amended by chapter 379 of the laws of 2022, are amended and a
50 new paragraph (c-6) is added to read as follows:

51 (a) (i) Upon submission of an application for a driver's license, the
52 applicant shall be required to take and pass a test, or submit evidence
53 of passage of a test, with respect to the laws relating to traffic, the
54 laws relating to driving while ability is impaired and while intoxicat-
55 ed, under the overpowering influence of "Road Rage", "Work Zone Safety"
56 awareness, "Motorcycle Safety" awareness, "Electric Scooter Safety"

1 awareness, and "Pedestrian and Bicyclist Safety" awareness as defined by
2 the commissioner, "School Bus Safety" awareness, the law relating to
3 exercising due care to avoid colliding with a parked, stopped or stand-
4 ing authorized emergency vehicle or hazard vehicle pursuant to section
5 eleven hundred forty-four-a of this chapter, the ability to read and
6 comprehend traffic signs and symbols and such other matters as the
7 commissioner may prescribe, and to satisfactorily complete a course
8 prescribed by the commissioner of not less than four hours and not more
9 than five hours, consisting of classroom driver training and highway
10 safety instruction or the equivalent thereof. Such test shall include at
11 least seven written questions concerning the effects of consumption of
12 alcohol or drugs on the ability of a person to operate a motor vehicle
13 and the legal and financial consequences resulting from violations of
14 section eleven hundred ninety-two of this chapter, prohibiting the oper-
15 ation of a motor vehicle while under the influence of alcohol or drugs.
16 Such test shall include one or more written questions concerning the
17 devastating effects of "Road Rage" on the ability of a person to operate
18 a motor vehicle and the legal and financial consequences resulting from
19 assaulting, threatening or interfering with the lawful conduct of another
20 person legally using the roadway. Such test shall include one or more
21 questions concerning the potential dangers to persons and equipment
22 resulting from the unsafe operation of a motor vehicle in a work zone.
23 Such test may include one or more questions concerning motorcycle safe-
24 ty. Such test may include one or more questions concerning the law for
25 exercising due care to avoid colliding with a parked, stopped or stand-
26 ing vehicle pursuant to section eleven hundred forty-four-a of this
27 chapter. Such test shall include one or more questions concerning how to
28 safely operate an electric scooter on the road and one or more questions
29 concerning the dangers of motor vehicles to bicyclists and pedestrians
30 and one or more questions concerning the traffic laws governing electric
31 scooters. Such test may include one or more questions concerning school
32 bus safety. Such test may include one or more questions concerning
33 pedestrian and bicyclist safety. Such test shall be administered by the
34 commissioner. The commissioner shall cause the applicant to take a
35 vision test and a test for color blindness. Upon passage of the vision
36 test, the application may be accepted and the application fee shall be
37 payable.

38 (ii) The commissioner shall promulgate rules and regulations estab-
39 lishing eligibility standards for the taking and passing of knowledge
40 tests in other than written form.

41 (b) Upon successful completion of the requirements set forth in para-
42 graph (a) of this subdivision which shall include an alcohol and drug
43 education component as described in paragraph (c) of this subdivision, a
44 "Road Rage" awareness component as described in paragraph (c-1) of this
45 subdivision, a "Work Zone Safety" awareness component as described in
46 paragraph (c-2) of this subdivision, a "Motorcycle Safety" awareness
47 component as described in paragraph (c-3) of this subdivision, a "School
48 Bus Safety" awareness component as described in paragraph (c-4) of this
49 subdivision, [~~and~~] a "Pedestrian and Bicyclist Safety" awareness compo-
50 nent as described in paragraph (c-5) of this subdivision, and an "Elec-
51 tric Scooter Safety" awareness component as described in paragraph (c-6)
52 of this subdivision, the commissioner shall cause the applicant to take
53 a road test in a representative vehicle of a type prescribed by the
54 commissioner which shall be appropriate to the type of license for which
55 application is made, except that the commissioner may waive the road
56 test requirements for certain classes of applicants. Provided, however,

1 that the term "representative vehicle" shall not include a three-wheeled
2 motor vehicle that has two wheels situated in the front and one wheel in
3 the rear, has a steering mechanism and seating which does not require
4 the operator to straddle or sit astride, is equipped with safety belts
5 for all occupants and is manufactured to comply with federal motor vehi-
6 cle safety standards for motorcycles including, but not limited to, 49
7 C.F.R. part 571. The commissioner shall have the power to establish a
8 program to allow persons other than employees of the department to
9 conduct road tests in representative vehicles when such tests are
10 required for applicants to obtain a class A, B or C license. If [~~she~~]
11 the commissioner chooses to do so, [~~she~~] the commissioner shall set
12 forth [~~her~~] their reasons in writing and conduct a public hearing on the
13 matter. [~~she~~] The commissioner shall only establish such a program after
14 holding the public hearing.

15 (c-6) "Electric Scooter Safety" awareness component. (i) The commis-
16 sioner shall provide in the pre-licensing course, set forth in paragraph
17 (b) of this subdivision, a mandatory component in "Electric Scooter
18 Safety" awareness education as a prerequisite for obtaining a license to
19 operate a motor vehicle. The purpose of the component is to educate
20 prospective licensees on the potential dangers to pedestrians, bicy-
21 clists, and scooter operators created by motor vehicles. The purpose is
22 also to educate electric scooter operators on their responsibilities to
23 adhere to traffic laws.

24 (ii) The curriculum shall include, but shall not be limited to, an
25 overview of traffic laws governing electric scooters, the safe operation
26 of electric scooters, an overview of traffic laws governing motor vehi-
27 cle operators' duty to exercise due care with respect to pedestrians and
28 bicyclists, including but not limited to understanding bicyclists' and
29 pedestrians' needs and reduced visibility, respecting bicyclists' and
30 pedestrians' rights of way, safe operation near bicyclists and pedestri-
31 ans, including children and blind, deaf, elderly and disabled pedestri-
32 ans, bicycle lanes as defined in section one hundred two-a of this chap-
33 ter, safely overtaking a bicycle, the dangers of distracted driving,
34 driving at appropriate reduced speeds when special hazards exist with
35 respect to pedestrians or other weather or highway conditions, safely
36 turning, stopping, standing, and parking, motor vehicle operators' obli-
37 gations to comply with article twenty-two of this chapter, and traffic
38 control devices and markings related to electric scooter operators and
39 pedestrians.

40 (iii) In developing such curriculum, the commissioner shall consult
41 with the commissioner of transportation, the superintendent of the state
42 police, the commissioners of transportation and police of the city of
43 New York, medical professionals and pedestrian safety advocates.

44 (d) The commissioner shall make available for distribution upon regis-
45 tration at each location where the pre-licensing course will be given,
46 instructional handbooks outlining the content of the entire curriculum
47 of the pre-licensing course including the information required to be
48 included in the course pursuant to paragraphs (c), (c-1), (c-2), (c-3),
49 (c-4) [~~and~~], (c-5) and (c-6) of this subdivision. The commissioner shall
50 also provide for the additional training of the instructors necessary
51 for the competent instruction of the alcohol and drug education, "Road
52 Rage" awareness, "Work Zone Safety" awareness, "Motorcycle Safety"
53 awareness, "Electric Scooter Safety" awareness, "School Bus Safety"
54 awareness and "Pedestrian and Bicyclist Safety" awareness subject
55 matters of the pre-licensing course.

1 § 4-a. Paragraph (d) of subdivision 4 of section 502 of the vehicle
2 and traffic law, as amended by chapter 477 of the laws of 2024, is
3 amended to read as follows:

4 (d) (i) The commissioner shall make available for distribution upon
5 registration at each location where the pre-licensing course will be
6 given (1) instructional handbooks outlining the content of the entire
7 curriculum of the pre-licensing course including the information
8 required to be included in the course pursuant to paragraphs (c), (c-1),
9 (c-2), (c-3), (c-4) [~~and~~], (c-5) and (c-6) of this subdivision, and (2)
10 information as to how a person may register in the New York state organ
11 and tissue donor registry under section forty-three hundred ten of the
12 public health law.

13 (ii) The commissioner shall also provide for the additional training
14 of the instructors necessary for the competent instruction of the alco-
15 hol and drug education, "Road Rage" awareness, "Work Zone Safety" aware-
16 ness, "Motorcycle Safety" awareness, "Electric Scooter Safety" aware-
17 ness, "School Bus Safety" awareness and "Pedestrian and Bicyclist
18 Safety" awareness subject matters of the pre-licensing course.

19 § 5. The vehicle and traffic law is amended by adding a new section
20 1291 to read as follows:

21 § 1291. Liability insurance. 1. An electric scooter which is operated
22 anywhere in a city having a population of one million or more other than
23 on lands of the owner of such electric scooter shall be covered by a
24 policy of insurance, in such language and form as shall be determined
25 and established by the superintendent of financial services, issued by
26 an insurance carrier authorized to do business in this state. Such poli-
27 cy shall provide for coverages required of an "owner's policy of liabil-
28 ity insurance" as set forth in paragraph (a) of subdivision four of
29 section three hundred eleven of this chapter. In lieu of such insurance
30 coverage as hereinabove provided, the commissioner, in their discretion
31 and upon application of a governmental agency having registered in its
32 name one or more electric scooters, may waive the requirement of insur-
33 ance by a private insurance carrier and issue a certificate of self-in-
34 insurance, when the commissioner is satisfied that such governmental agen-
35 cy is possessed of financial ability to respond to judgments obtained
36 against it, arising out of the ownership, use or operation of such elec-
37 tric scooters. The commissioner may also waive the requirement of insur-
38 ance by a private insurance carrier and issue a certificate of self-in-
39 insurance upon application of any person or any other corporation, having
40 registered in its name, one or more electric scooters and furnishing of
41 proof that a certificate of self-insurance has been issued and is in
42 effect pursuant to the provisions of section three hundred sixteen of
43 this chapter.

44 2. Proof of insurance as required by this section shall be produced
45 and displayed by the owner or operator of such electric scooter upon the
46 request of any magistrate or any person having authority to enforce the
47 provisions of this chapter. The failure to produce such proof upon the
48 request of any such person shall not be an offense but shall be presump-
49 tive evidence that such electric scooter is being operated without
50 having such insurance in force and effect.

51 3. Proof of insurance as required by this section shall be produced
52 and displayed by the owner or operator of such electric scooter to any
53 person who has suffered or claims to have suffered either personal inju-
54 ry or property damage as a result of the operation of such electric
55 scooter by the owner or operator, if such insurance coverage was
56 required under the circumstances of such operation. It shall be an

1 affirmative defense to any prosecution for a violation of this subdivi-
2 sion that such proof was so produced or displayed within twenty-four
3 hours of receiving notice of such injury or damage, or the claim of such
4 injury or damage.

5 4. No owner of an electric scooter shall operate or permit the same to
6 be operated anywhere in this state other than on lands of the owner of
7 the electric scooter without having in full force and effect the liabil-
8 ity insurance coverage required by this section, and no person shall
9 operate an electric scooter anywhere in this state other than on lands
10 of the owner of the electric scooter with the knowledge that such insur-
11 ance is not in full force and effect.

12 § 6. Subsection (f) of section 5103 of the insurance law, as amended
13 by chapter 402 of the laws of 1986, is amended to read as follows:

14 (f) Every owner's policy of liability insurance issued on a
15 motorcycle, an electric scooter or an all terrain vehicle in satisfac-
16 tion of the requirements of article six or eight of the vehicle and
17 traffic law, section twelve hundred ninety-one of such law, or section
18 twenty-four hundred seven of such law shall also provide for; every
19 owner who maintains another form of financial security on a motorcycle,
20 an electric scooter or an all terrain vehicle in satisfaction of the
21 requirements of such articles or [~~section~~] sections shall be liable for;
22 and every owner of a motorcycle, an electric scooter or an all terrain
23 vehicle required to be subject to the provisions of this article by
24 subdivision two of section three hundred twenty-one of such law shall be
25 liable for; the payment of first party benefits to persons, other than
26 the occupants of such motorcycle, electric scooter or all terrain vehi-
27 cle, another motorcycle, an electric scooter or all terrain vehicle, or
28 any motor vehicle, for loss arising out of the use or operation of the
29 motorcycle, an electric scooter or all terrain vehicle within this
30 state. Every insurer and self-insurer may exclude from the coverage
31 required by this subsection a person who intentionally causes [~~his~~]
32 their own injury or is injured while committing an act which would
33 constitute a felony or while seeking to avoid lawful apprehension or
34 arrest by a law enforcement officer.

35 § 7. The vehicle and traffic law is amended by adding a new section
36 1292 to read as follows:

37 § 1292. Purchase requirements. 1. No person shall purchase any elec-
38 tric scooter, through an online or in-person transaction, unless such
39 person holds a valid license to operate an electric scooter pursuant to
40 section three hundred ninety-nine-bb of this chapter, and, in a city
41 having a population of one million or more, has obtained and maintains
42 valid insurance coverage pursuant to section twelve hundred ninety-one
43 of this article.

44 2. No dealer shall sell or offer for retail sale any electric scooter,
45 through an online or in-person transaction, until such dealer receives
46 proof that the purchaser of the electric scooter holds a valid license
47 to operate an electric scooter pursuant to section three hundred nine-
48 ty-nine-bb of this chapter, and, in a city having a population of one
49 million or more, has obtained and maintains valid insurance coverage
50 pursuant to section twelve hundred ninety-one of this article.

51 3. A person who violates the provisions of subdivision one of this
52 section shall be subject to a fine of up to five hundred dollars per
53 violation. A dealer who violates the provisions of subdivision two of
54 this section shall be subject to a fine of up to one thousand dollars
55 per violation.

1 § 8. This act shall take effect on the one hundred eightieth day after
2 it shall have become a law; provided, however, that section four-a of
3 this act shall take effect on the same date and in the same manner as
4 chapter 477 of the laws of 2024, takes effect. Effective immediately,
5 the addition, amendment and/or repeal of any rule or regulation neces-
6 sary for the implementation of this act on its effective date are
7 authorized to be made on or before such date.