

# STATE OF NEW YORK

9568

## IN ASSEMBLY

January 14, 2026

Introduced by M. of A. BERGER -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring electric scooter service platforms to maintain insurance coverage

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 34-E to read as follows:

### ARTICLE 34-E

#### ELECTRIC SCOOTER SERVICE PLATFORM INSURANCE

##### Section 1290. Definitions.

##### 1291. Liability insurance.

7 § 1290. Definitions. For the purposes of this article, the following  
8 terms shall have the following meanings:

9 1. "Digital network" means any electronic system or service offered or  
10 utilized by an electric scooter service platform that through the use of  
11 an app accessed through a phone, tablet, computer, or a digital token,  
12 digital key, or substantially similar technology, enables the unlocking,  
13 access, operation, docking, charging, and payment for use of a scooter.

14 2. "Electric scooter service platform" means a person, corporation,  
15 partnership, sole proprietorship, or other entity operating in New York  
16 state that owns, leases, or controls more than two electric scooters and  
17 provides them for use by the public, where access to and operation of  
18 such scooters is through using a digital network.

19 3. "Trip" means the lawful operation of an electric scooter owned or  
20 controlled by an electric scooter service platform, subsequent to  
21 accessing such electric scooter through a digital network.

22 § 1291. Liability insurance. 1. No electric scooter, as defined in  
23 section one hundred fourteen-e of this chapter shall be offered for use  
24 through an electric scooter service platform unless it is covered by a  
25 policy of insurance, in such language and form as shall be determined  
26 and established by the superintendent of financial services. An electric  
27 scooter service platform, through a group policy, shall maintain insur-  
28 ance that provides financial responsibility coverage upon the operator

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

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1 accessing a scooter through a digital network and throughout the dura-  
2 tion of the operator's trip.

3 2. Such policy shall offer coverage of no less than twenty-five thou-  
4 sand dollars per occurrence in the event of an accident involving an  
5 app-based electric scooter service platform vehicle. Such coverage shall  
6 be primary over any other coverage. It may be provided individually or  
7 on a group basis by an authorized insurance company or through a duly  
8 licensed excess line broker.

9 3. Such policy shall provide for coverage against loss from the  
10 liability imposed by law for medical payments because of bodily injury  
11 to or death of any person; and injury to or destruction of property  
12 arising out of the ownership, maintenance, use, or operation of an elec-  
13 tric scooter owned or controlled by an electric scooter service platform  
14 while the operator has accessed an electric scooter through a digital  
15 network and throughout the duration of the operator's trip. Such policy  
16 shall not provide personal injury protection pursuant to article fifty-  
17 one of the insurance law.

18 4. Proof of insurance as required by this section shall be produced  
19 and displayed by an electric scooter service platform upon the request  
20 of any person having authority to enforce the provisions of this chap-  
21 ter. The failure to produce such proof upon the request of any such  
22 person shall not be an offense but shall be presumptive evidence that  
23 such electric scooter is being operated without having such insurance in  
24 force and effect.

25 5. Proof of insurance as required by this section shall be produced  
26 and displayed by the owner or operator of such electric scooter to any  
27 person who has suffered or claims to have suffered either injury or  
28 property damage as a result of the operation of such electric scooter,  
29 if such insurance coverage was required under the circumstances of such  
30 operation. It shall be an affirmative defense to any prosecution for a  
31 violation of this subdivision that such proof was so produced or  
32 displayed within twenty-four hours of receiving notice of such injury or  
33 damage, or the claim of such injury or damage.

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