

STATE OF NEW YORK

139--B

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to bicycle delivery worker insurance personal injury liability insurance

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

1 Section 1. The insurance law is amended by adding a new section 2354
2 to read as follows:

3 § 2354. Bicycle delivery worker insurance personal injury liability
4 insurance. (a) As used in this section:

5 (1) "bicycle delivery contractor" means a person, corporation, part-
6 nership, sole proprietorship, or other entity that is operating in New
7 York state using a digital network to connect BEA delivery recipients to
8 bicycle with electric assist delivery workers;

9 (2) "digital network" means any website, mobile application, or other
10 internet service offered or utilized by a bicycle delivery contractor
11 that enables deliveries by bicycle with electric assist delivery work-
12 ers;

13 (3) "bicycle with electric assist delivery workers" or "BEA delivery
14 workers" means an individual who:

15 (i) receives connections to potential BEA delivery recipients and
16 related services through a digital network; and

17 (ii) uses a bicycle with electric assist as defined in section one
18 hundred two-c of the vehicle and traffic law or an electric scooter as
19 defined in section one hundred fourteen-e of the vehicle and traffic law
20 to offer or provide a prearranged delivery to BEA delivery recipients

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

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1 through a digital network in exchange for compensation or payment of a
2 fee;

3 (4) "bicycle with electric assist delivery recipients" or "BEA deliv-
4 ery recipients" means a person or persons who use a digital network to
5 connect with a BEA delivery worker who provides delivery of food or
6 other items to points chosen by the BEA delivery recipient; and

7 (5) "bicycle delivery contractor prearranged trip" or "trip" means the
8 provision of delivery by a BEA delivery worker provided through the use
9 of a digital network:

10 (i) beginning when a BEA delivery worker accepts a BEA delivery recip-
11 ient's request for a delivery through a digital network;

12 (ii) continuing while the BEA delivery worker transports the requested
13 items on a bicycle with electric assist; and

14 (iii) ending when the last requested item is dropped off from the
15 bicycle with electric assist and marked as completed by a BEA delivery
16 worker on the digital network.

17 (b) (i) All bicycle delivery contractors must provide personal injury
18 liability insurance as defined in paragraph thirteen of subsection (a)
19 of section one thousand one hundred thirteen of this chapter to compen-
20 sate persons injured by a BEA delivery worker while such worker is
21 undergoing a trip, at no more than twenty thousand dollars per incident
22 involving a BEA delivery worker.

23 (ii) Insurance purchased through this policy will be primary over
24 other applicable insurance policies and shall not include no-fault
25 coverage.

26 (iii) The insurance policy must be written by an insurer licensed to
27 write insurance in this state or procured by a duly licensed excess line
28 broker pursuant to section two thousand one hundred eighteen of this
29 chapter.

30 (c) All bicycle delivery contractors must provide notice to BEA deliv-
31 ery workers that they provide personal injury liability insurance. A
32 bicycle delivery contractor must also post this notice on its website in
33 a prominent place and provide contact information for the department.

34 (d) The superintendent is authorized to promulgate such rules and
35 regulations to implement this section, including regulations to address
36 insurance coverage under this section when a BEA delivery worker uses
37 multiple digital networks simultaneously.

38 § 2. This act shall take effect on the one hundred eightieth day after
39 it shall have become a law.