

# STATE OF NEW YORK

2436--A

Cal. No. 216

2025-2026 Regular Sessions

## IN SENATE

January 17, 2025

Introduced by Sens. KRUEGER, CHAN, FERNANDEZ, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1 -- recommitted to the Committee on Cities 1 in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to prohibiting the sale of ATVs and off-highway motorcycles in the city of New York

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

1 Section 1. Chapter 5 of title 20 of the administrative code of the  
2 city of New York is amended by adding a new subchapter 13-A to read as  
3 follows:

### SUBCHAPTER 13-A

#### SALES OF ALL TERRAIN VEHICLES AND OFF-HIGHWAY MOTORCYCLES

6 § 20-764 Off-highway motorcycle. a. For purposes of this section, an  
7 off-highway motorcycle shall have the same definition set forth in  
8 section one hundred twenty-five-a of the vehicle and traffic law.

9 b. No corporation, partnership, firm, sole proprietorship or other  
10 entity or person shall sell, lease or rent or attempt to sell, lease or  
11 rent an off-highway motorcycle to another person in the city of New  
12 York.

13 c. Any corporation, partnership, firm, sole proprietorship or other  
14 entity or person who violates subdivision b of this section shall be  
15 liable for a civil penalty of one thousand dollars for a first violation  
16 and a civil penalty of two thousand dollars for each subsequent  
17 violation within one year. Each sale, lease or rental, or attempt to

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

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1 sell, lease or rent, an off-highway motorcycle shall be deemed a separate  
2 violation. Authorized employees of the department, the police  
3 department, and of any other agency designated by the mayor, shall have  
4 the authority to enforce the provisions of this section. Such penalties  
5 shall be recovered in a civil action or in a proceeding commenced by the  
6 service of a notice of hearing that shall be returnable before the  
7 administrative tribunal of the department.

8 d. Any off-highway motorcycle that has been used or is being used in  
9 violation of the provisions of this section may be impounded and shall  
10 not be released until any and all removal charges and storage fees and  
11 the applicable fines have been paid or a bond has been posted in an  
12 amount satisfactory to the commissioner of the agency that impounded  
13 such device.

14 § 20-766 All terrain vehicle. a. For purposes of this section, an all  
15 terrain vehicle shall have the same definition set forth in section  
16 twenty-two hundred eighty-one of the vehicle and traffic law.

17 b. No corporation, partnership, firm, sole proprietorship or other  
18 entity or person shall sell, lease or rent or attempt to sell, lease or  
19 rent an all terrain vehicle to another person in the city of New York.

20 c. Any corporation, partnership, firm, sole proprietorship or other  
21 entity or person who violates subdivision b of this section shall be  
22 liable for a civil penalty of one thousand dollars for a first violation  
23 and a civil penalty of two thousand dollars for each subsequent  
24 violation within one year. Each sale, lease or rental, or attempt to  
25 sell, lease or rent, an all terrain vehicle shall be deemed a separate  
26 violation. Authorized employees of the department, the police depart-  
27 ment, and of any other agency designated by the mayor, shall have the  
28 authority to enforce the provisions of this section. Such penalties  
29 shall be recovered in a civil action or in a proceeding commenced by the  
30 service of a notice of hearing that shall be returnable before the  
31 administrative tribunal of the department.

32 d. Any all terrain vehicle that has been used or is being used in  
33 violation of the provisions of this section may be impounded and shall  
34 not be released until any and all removal charges and storage fees and  
35 the applicable fines have been paid or a bond has been posted in an  
36 amount satisfactory to the commissioner of the agency that impounded  
37 such device.

38 § 2. Subdivision 6 of section 2282 of the vehicle and traffic law, as  
39 amended by chapter 402 of the laws of 1986, is amended to read as  
40 follows:

41 6. Dealers. (a) Any person who is a dealer, and who is not registered  
42 as a dealer pursuant to section four hundred fifteen of this chapter,  
43 shall register as an ATV dealer and operate in accordance with the rules  
44 and regulations of the commissioner for ATV dealers. The commissioner,  
45 upon receipt of an application and the required fee, shall assign a  
46 distinctive dealer registration number to the registrant and issue an  
47 appropriate registration certificate to [~~him~~] the registrant and assign  
48 two dealer demonstrator registration numbers and upon the payment of the  
49 appropriate fee, such additional numbers as shall be requested. Dealer  
50 registrations and dealer demonstrator registration numbers shall not be  
51 transferable. Provided, however, the commissioner may limit the number  
52 of dealer demonstration registration numbers issued to a dealer.

53 (b) No dealer shall sell or offer for retail sale any ATV, other than  
54 an ATV identified and sold for use only in off-highway competitions,  
55 which is not equipped with all equipment necessary for the registration  
56 of an ATV.

1 (c) No dealer shall sell or offer for retail sale any ATV, other than  
2 an ATV identified and sold for use outside the city of New York.

3 § 3. This act shall take effect on the first of January next succeed-  
4 ing the date upon which it shall have become a law. Effective imme-  
5 diately, the addition, amendment and/or repeal of any rule or regulation  
6 necessary for the implementation of this act on its effective date are  
7 authorized to be made and completed on or before such effective date.