

STATE OF NEW YORK

9950

IN SENATE

April 17, 2026

Introduced by Sen. MARTINEZ -- 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 personal delivery devices

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

1 Section 1. Section 131-a of the vehicle and traffic law is renumbered
2 131-c and two new sections 131-a and 131-b are added to read as follows:

3 § 131-a. Personal delivery device. A powered device that is intended
4 for the transport of property; weighs not more than four hundred pounds,
5 excluding cargo; and is capable of navigating with or without the active
6 control or monitoring of an individual.

7 § 131-b. Personal delivery device operator. An entity or its agent
8 that exercises active or passive physical control or monitoring over the
9 navigation system and operation of a personal delivery device. Personal
10 delivery device operator shall not include a person that requests or
11 receives property transported by a personal delivery device; or arranges
12 for and dispatches a personal delivery device to transport goods to
13 another person.

14 § 2. Section 125 of the vehicle and traffic law, as amended by section
15 3 of part XX of chapter 58 of the laws of 2020, is amended to read as
16 follows:

17 § 125. Motor vehicles. Every vehicle operated or driven upon a public
18 highway which is propelled by any power other than muscular power,
19 except (a) electrically-driven mobility assistance devices operated or
20 driven by a person with a disability, (a-1) electric personal assistive
21 mobility devices operated outside a city with a population of one
22 million or more, (b) vehicles which run only upon rails or tracks, (c)
23 snowmobiles as defined in article forty-seven of this chapter, (d) all
24 terrain vehicles as defined in article forty-eight-B of this chapter,
25 (e) bicycles with electric assist as defined in section one hundred
26 two-c of this article, [~~and~~] (f) electric scooters as defined in section
27 one hundred fourteen-e of this article, and (g) personal delivery
28 devices as defined in section one hundred thirty-one-a of this article.

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

LBD15283-01-6

1 For the purposes of title four of this chapter, the term motor vehicle
2 shall exclude fire and police vehicles other than ambulances. For the
3 purposes of titles four and five of this chapter the term motor vehicles
4 shall exclude farm type tractors and all terrain type vehicles used
5 exclusively for agricultural purposes, or for snow plowing, other than
6 for hire, farm equipment, including self-propelled machines used exclu-
7 sively in growing, harvesting or handling farm produce, and self-pro-
8 pelled caterpillar or crawler-type equipment while being operated on the
9 contract site.

10 § 3. The vehicle and traffic law is amended by adding a new article
11 34-E to read as follows:

12 ARTICLE 34-E
13 PERSONAL DELIVERY DEVICES

14 Section 1290. Effect of regulations.

15 1291. Permit.

16 1292. Traffic laws apply to personal delivery devices; local
17 rules and laws.

18 1293. Riding on lanes reserved for non-motorized vehicles and
19 devices.

20 1294. Operating personal delivery devices.

21 1295. Required equipment.

22 1296. Delivery worker support fee.

23 § 1290. Effect of regulations. The regulations applicable to personal
24 delivery devices shall apply whenever a personal delivery device, pursu-
25 ant to section twelve hundred ninety-one of this article, is operated
26 upon any path or lane set aside for the exclusive use of bicycles,
27 in-line skates, electric scooters, or upon any sidewalk or crosswalk.

28 § 1291. Permit. 1. No personal delivery device operator shall operate
29 a personal delivery device without having received a permit pursuant to
30 this article.

31 2. A personal delivery device operator may file with the commissioner
32 an application for issuance of a personal delivery device operator
33 permit for such operator.

34 3. The application for a personal delivery device operator permit
35 shall be made on a form furnished by the commissioner for such purpose
36 and shall include the following information:

37 (a) Description of the applicant's safety record in operating personal
38 delivery devices;

39 (b) Description of plans for the storage of personal delivery devices;

40 (c) Ability to intervene in instances of personal delivery device
41 breakdowns and collisions;

42 (d) A law enforcement interaction plan to inform law enforcement how
43 to interact with personal delivery devices in emergency and traffic
44 enforcement situations;

45 (e) Proof of an insurance policy that provides general liability
46 coverage of at least one hundred thousand dollars for damages; and

47 (f) Proposed locations for the operation of personal delivery devices.

48 4. If the commissioner is satisfied that an applicant for a personal
49 delivery device operator permit will operate such devices safely and as
50 provided in this article, upon payment of a fee of fifty dollars, the
51 commissioner shall issue a personal delivery device operator permit.

52 5. Personal delivery device operator permits shall be valid for a
53 period of one year from the date of issuance, in such form as the
54 commissioner shall prescribe. Such permit shall assign the personal

1 delivery device operator a unique number. The commissioner shall also
2 issue unique numbers for each personal delivery device operated by such
3 operator.

4 § 1292. Traffic laws apply to personal delivery devices; local rules
5 and laws. 1. Personal delivery devices operating on sidewalks and cross-
6 walks shall be granted all the rights and subject to all the duties
7 applicable to a pedestrian by this title, except as to special regu-
8 lations in this article and except as to those provisions of this title
9 which by their nature can have no application.

10 2. Personal delivery devices operating on a bicycle lane or path shall
11 be granted all the rights and subject to all the duties applicable to
12 the rider of a bicycle by this title, except as to special regulations
13 in this article and except as to those provisions of this title which by
14 their nature can have no application.

15 3. Any city with a population of one million or more may, acting
16 through an office or agency designated by the mayor, establish local
17 rules and regulations governing:

18 (a) The number of personal delivery devices that can be operated in a
19 given geographic area;

20 (b) Hours of operation of personal delivery devices;

21 (c) Types of goods that may be delivered via personal delivery
22 devices;

23 (d) Areas of no greater than a community district in which personal
24 delivery devices cannot be operated due to concerns regarding safety;

25 (e) The distance that a personal delivery device may travel with prop-
26 erty intended for delivery, except that in no event shall such distance
27 be less than one mile;

28 (f) Operation in bicycle lanes or paths, including the prohibition of
29 operation in such lanes or paths;

30 (g) Additional insurance and bonding requirements; and

31 (h) Sharing of data regarding deliveries completed, routes taken
32 during operation, incidents occurring during operation, and infrastruc-
33 ture defects encountered during operation.

34 4. Any county not wholly included within a city, city with a popu-
35 lation of less than one million, town or village may, by order, rule or
36 regulation, regulate the time, place and manner of the operation of
37 personal delivery devices or prohibiting use thereof where such devices
38 cannot be operated due to concerns regarding safety in specified areas
39 under the jurisdiction of such county not wholly included within a city,
40 city with a population of less than one million, town or village.

41 § 1293. Riding on lanes reserved for non-motorized vehicles and
42 devices. 1. Upon all roadways, any personal delivery device shall be
43 operated either on a usable bicycle, in-line skate, or electric scooter
44 lane or path.

45 2. Personal delivery devices operated upon a sidewalk or crosswalk
46 shall operate single file. Personal delivery devices operated upon a
47 bicycle, in-line skate, or electric scooter path or lane may ride two or
48 more abreast if sufficient space is available, except that when passing
49 a bicycle, electric personal assistive mobility device, person on
50 in-line skates or pedestrian standing or proceeding along such lane or
51 path, personal delivery devices shall operate single file.

52 § 1294. Operating personal delivery devices. 1. No personal delivery
53 device shall operate unless such operation is in compliance with the
54 provisions of this article, and any rule, regulation or order adopted
55 pursuant to this article.

1 2. A personal delivery device shall not block public rights-of-way and
2 shall obey all traffic and pedestrian control devices.

3 3. A personal delivery device shall not transport hazardous materials
4 required to be placarded under subpart f of part 172 of title forty-nine
5 of the code of federal regulations.

6 4. When operating on a sidewalk, a personal delivery device shall not
7 exceed a speed of six miles per hour.

8 5. When operating on a crosswalk, a personal delivery device shall not
9 exceed a speed of nine miles per hour.

10 § 1295. Required equipment. 1. Every personal delivery device in use
11 during the period from one-half hour after sunset to one-half hour
12 before sunrise shall be equipped with a lamp on the front which shall
13 emit a white light visible during hours of darkness from a distance of
14 at least five hundred feet to the front and with a red light visible to
15 the rear for three hundred feet. At least one such light shall be visi-
16 ble for two hundred feet from each side.

17 2. Every personal delivery device shall be equipped with a system that
18 enables the personal delivery device to come to a controlled stop.

19 3. Every personal delivery device shall be visibly marked with the
20 unique device number and unique operator number assigned to the operator
21 by the commissioner pursuant to section twelve hundred ninety-one,
22 contact information for the personal delivery device operator, and if
23 the personal delivery device operator is acting on behalf of a corporate
24 entity, be visibly marked with contact information for the corporate
25 entity.

26 § 1296. Delivery worker support fee. The mayor of a city with a popu-
27 lation of a million or more may designate an office or agency to collect
28 fees from personal delivery device operators to support workers
29 contracted primarily to deliver goods and administer a delivery worker
30 support fund to offer benefits to such worker. Such office or agency may
31 promulgate rules or regulations establishing fees to be paid by personal
32 delivery device operators, to effectuate the delivery worker support
33 fund, and determine eligibility.

34 § 4. This act shall take effect on the ninetieth day after it shall
35 have become a law. Effective immediately, the addition, amendment and/or
36 repeal of any rule or regulation necessary for the implementation of
37 this act on its effective date are authorized to be made and completed
38 on or before such effective date.