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:

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

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

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

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

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

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

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

ARTICLE 34-E
PERSONAL DELIVERY DEVICES

Section 1290. Effect of regulations.
1291. Permit.
1292. Traffic laws apply to personal delivery devices; local rules and laws.
1293. Riding on lanes reserved for non-motorized vehicles and devices.
1294. Operating personal delivery devices.
1295. Required equipment.
1296. Delivery worker support fee.

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 1292. Traffic laws apply to personal delivery devices; local rules and laws. 1. Personal delivery devices operating on sidewalks and crosswalks shall be granted all the rights and subject to all the duties applicable to a pedestrian by this title, except as to special regulations in this article and except as to those provisions of this title which by their nature can have no application.

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

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

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

(b) Hours of operation of personal delivery devices;

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

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

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

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

(g) Additional insurance and bonding requirements; and

(h) Sharing of data regarding deliveries completed, routes taken during operation, incidents occurring during operation, and infrastructure defects encountered during operation.

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

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

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

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

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

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

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

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

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

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

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

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

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