STATE OF NEW YORK

1185--B

2025-2026 Regular Sessions

IN ASSEMBLY

January 9, 2025

Introduced by M. of A. TAPIA, DAVILA, DINOWITZ, SEAWRIGHT, HYNDMAN -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to establishing an e-bike safety program

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

Section 1. Section 1854 of the public authorities law is amended by adding a new subdivision 27 to read as follows:

27. E-bike safety program. (a) For purposes of this subdivision, the following terms shall have the following meanings:

(i) "Battery" means a storage battery in which an electrical current is generated.

(ii) "Delivery service worker" means an individual who performs pick-up, transportation, and delivery of food, goods, or packages for compensation, whether through an app-based platform, a third-party network, or direct employment by a business offering delivery services.

(iii) "E-bike" means a bicycle with electric assist as defined by section one hundred two-c of the vehicle and traffic law.

(iv) "Unsafe e-bike" means an e-bike that is not certified by an accredited testing laboratory for compliance with a battery standard referenced in UL 2849, UL 2271, or EN 15194, or such other safety standard approved by the department of state pursuant to regulation.

(v) "Accredited testing laboratory" means a nationally recognized testing laboratory as recognized by the federal occupational safety and health administration or an independent laboratory that has been certified by an accrediting body to ISO 17025 or ISO 17065.

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

LBD02631-06-5

(vi) "Program" means the program developed pursuant to paragraph (b) of this subdivision.

(b) No later than two years after the effective date of this subdivision, the authority, in collaboration with the department of environmental conservation and any other appropriate agency, shall develop and administer a program to provide new e-bikes at reduced or no cost in exchange for used unsafe e-bikes to delivery service workers, subject to eligibility requirements established by the authority.

(c) Individuals utilizing e-bikes solely for recreational purposes shall not be eligible for the program.

(d) To be eligible for a reduced or no cost e-bike under the program, a delivery service worker applying to such program shall:

(i) have earned at least one thousand five hundred dollars over the twelve months preceding the application submission period as a delivery service worker;

(ii) own an eligible used unsafe e-bike that is in operable condition;

(iii) be at least eighteen years of age; and

(iv) reside in New York state.

(e) Within two years of the effective date of this subdivision, the authority shall implement and administer this subdivision including promulgating rules relating to the forms required to exchange a used unsafe e-bike for a new e-bike, the required documentation for establishing eligibility, procedures and guidelines for exchanging a used unsafe e-bike for a new e-bike, and the collection of economic impact data from applicants and any other requirements the authority deems necessary.

(f) All new e-bikes provided at reduced or no cost pursuant to the program shall be certified by an accredited testing laboratory for compliance with safety standards referenced in UL 2849, UL 2271, or EN 15194, or such other safety standard approved by the department of state pursuant to regulation. Such certification or the logo, wordmark, or name of such accredited testing laboratory shall be displayed on packaging or documentation at the time of sale for a product or directly on such product itself.

(g) The authority shall collaborate with relevant agencies to develop and distribute educational materials and conduct outreach efforts to inform eligible individuals about the program and the application process for its services.

(h) No later than April first, two thousand twenty-eight, and annually thereafter, the authority shall issue a report to the governor, the temporary president of the senate, and the speaker of the assembly detailing the status of the program. Such report shall at a minimum include:

(i) the amount of funding dedicated by the authority for the program in the preceding year;

(ii) the number of exchanges provided; and

(iii) any other information the authority deems necessary.

§ 2. This act shall take effect immediately.