STATE OF NEW YORK

9568

IN ASSEMBLY

January 14, 2026

Introduced by M. of A. BERGER -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring electric scooter service platforms to maintain insurance coverage

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

Section 1. The vehicle and traffic law is amended by adding a new article 34-E to read as follows:

ARTICLE 34-E

ELECTRIC SCOOTER SERVICE PLATFORM INSURANCE

Section 1290. Definitions.

1291. Liability insurance.

§ 1290. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Digital network" means any electronic system or service offered or utilized by an electric scooter service platform that through the use of an app accessed through a phone, tablet, computer, or a digital token, digital key, or substantially similar technology, enables the unlocking, access, operation, docking, charging, and payment for use of a scooter.

2. "Electric scooter service platform" means a person, corporation, partnership, sole proprietorship, or other entity operating in New York state that owns, leases, or controls more than two electric scooters and provides them for use by the public, where access to and operation of such scooters is through using a digital network.

3. "Trip" means the lawful operation of an electric scooter owned or controlled by an electric scooter service platform, subsequent to accessing such electric scooter through a digital network.

§ 1291. Liability insurance. 1. No electric scooter, as defined in section one hundred fourteen-e of this chapter shall be offered for use through an electric scooter service platform unless it is covered by a policy of insurance, in such language and form as shall be determined and established by the superintendent of financial services. An electric scooter service platform, through a group policy, shall maintain insurance that provides financial responsibility coverage upon the operator

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

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accessing a scooter through a digital network and throughout the duration of the operator's trip.

2. Such policy shall offer coverage of no less than twenty-five thousand dollars per occurrence in the event of an accident involving an app-based electric scooter service platform vehicle. Such coverage shall be primary over any other coverage. It may be provided individually or on a group basis by an authorized insurance company or through a duly licensed excess line broker.

3. Such policy shall provide for coverage against loss from the liability imposed by law for medical payments because of bodily injury to or death of any person; and injury to or destruction of property arising out of the ownership, maintenance, use, or operation of an electric scooter owned or controlled by an electric scooter service platform while the operator has accessed an electric scooter through a digital network and throughout the duration of the operator's trip. Such policy shall not provide personal injury protection pursuant to article fifty-one of the insurance law.

4. Proof of insurance as required by this section shall be produced and displayed by an electric scooter service platform upon the request of any person having authority to enforce the provisions of this chapter. The failure to produce such proof upon the request of any such person shall not be an offense but shall be presumptive evidence that such electric scooter is being operated without having such insurance in force and effect.

5. Proof of insurance as required by this section shall be produced and displayed by the owner or operator of such electric scooter to any person who has suffered or claims to have suffered either injury or property damage as a result of the operation of such electric scooter, if such insurance coverage was required under the circumstances of such operation. It shall be an affirmative defense to any prosecution for a violation of this subdivision that such proof was so produced or displayed within twenty-four hours of receiving notice of such injury or damage, or the claim of such injury or damage.

§ 2. This act shall take effect on the one hundred eightieth 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.