

STATE OF NEW YORK

2436

2025-2026 Regular Sessions

IN SENATE

January 17, 2025

Introduced by Sens. KRUEGER, FERNANDEZ, HOYLMAN-SIGAL, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

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
18 sell, lease or rent, an off-highway motorcycle shall be deemed a sepa-
19 rate violation. Authorized employees of the department, the police
20 department, and of any other agency designated by the mayor, shall have
21 the authority to enforce the provisions of this section. Such penalties
22 shall be recovered in a civil action or in a proceeding commenced by the

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

LBD05688-01-5

1 service of a notice of hearing that shall be returnable before the
2 administrative tribunal of the department. In addition, such violation
3 shall be a traffic infraction and shall be punishable in accordance with
4 section eighteen hundred of the vehicle and traffic law.

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

11 § 20-766 All terrain vehicle. a. For purposes of this section, an all
12 terrain vehicle shall have the same definition set forth in section
13 twenty-two hundred eighty-one of the vehicle and traffic law.

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

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

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

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

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

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