§ 1282. Operating electric scooters. 1. No electric scooter shall be used to carry more than one person at one time. No person operating an electric scooter shall carry any person as a passenger in a pack fastened to the operator or fastened to the electric scooter. The failure of any person to comply with the provisions of this subdivision shall not constitute contributory negligence or assumption of risk, and shall not in any way bar, preclude or foreclose an action for personal injury or wrongful death by or on behalf of such person, nor in any way diminish or reduce the damages recoverable in any such action.

2. No person operating an electric scooter shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handle bars or which obstructs his or her vision in any direction.

3. Every person operating an electric scooter shall yield the right of way to pedestrians.

4. No person less than sixteen years of age shall operate or ride as a passenger upon an electric scooter, and no person sixteen years of age or older shall allow any person less than sixteen years of age to operate or ride as a passenger upon such scooter.

5. Except as may be otherwise provided by local law, ordinance, order, rule or regulation enacted or promulgated pursuant to this article, an electric scooter may only be operated on highways with a posted speed limit of thirty miles per hour or less, including non-interstate public highways, private roads open to motor vehicle traffic, and designated bicycle or in-line skate lanes.

6. No person shall operate an electric scooter in excess of fifteen miles per hour.

7. (a) No person shall operate an electric scooter on a sidewalk, except as may be authorized by a local law or ordinance adopted by a city, town or village having jurisdiction over such sidewalk including parking on certain sidewalks within such city, town or village in

compliance with the federal Americans with Disabilities Act of 1990, as amended (Public Law 101-336).

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, an electric scooter owned by a natural person where the owner is engaged in personal use may park on a sidewalk whether attended or unattended, provided however that no person shall park an electric scooter pursuant to this paragraph in a manner that interferes with the free passage of pedestrians on a sidewalk. A city, town or village having jurisdiction over such sidewalk shall provide a method by which an electric scooter owned by a natural person may be identified as such.

8. (a) No person shall operate an electric scooter on any public lands or property, other than a highway exclusive of any greenway running adjacent to or connected with a highway, except that an electric scooter may be operated on any such lands that have been designated and posted for travel by electric scooters in accordance with the provisions of paragraph (b) of this subdivision. For the purposes of this subdivision, the term "greenway" shall have the same meaning as such term is defined by subdivision seven of section 44-0103 of the environmental conservation law and subdivision one of section 39.03 of the parks, recreation and historic preservation law.

(b) A state agency, by regulation or order, and a city, town or village, by local law or ordinance, may designate any appropriate public lands and properties under its jurisdiction, other than highways exclusive of any greenway running adjacent to or connected with a highway, as a place open for travel by electric scooters upon written request for such designation by any person, and may impose restrictions and conditions for the regulation and safe operation of electric scooters on such public lands or property, such as travel on designated trails and hours of operation.

9. (a) No person, firm, association or corporation engaged in the business of selling or leasing electric scooters shall sell or lease any electric scooter on or after June first, two thousand twenty-two unless such electric scooter has permanently affixed thereto, in a prominent location, a manufacturer's label which shall include the following information: the maximum motor-assisted speed, the number of persons for

which such electric scooter is designed and equipped, and motor wattage of such electric scooter. Manufacturers and distributors of electric scooters shall, by April first, two thousand twenty-two, establish a process by which an owner of an electric scooter may request and obtain a manufacturer's label providing the maximum motor-assisted speed, the number of persons for which such electric scooter is designed and equipped, and motor wattage applicable to his or her electric scooter purchased prior to June first, two thousand twenty-two and installation instructions from such manufacturers and distributors.

(b) No person shall operate an electric scooter on any public highway or street in this state after June first, two thousand twenty-two unless such electric scooter has permanently affixed thereto, in a prominent location, a manufacturer's label providing the maximum motor-assisted speed, the number of persons for which such electric scooter is designed and equipped, and motor wattage of such electric scooter. Any person who violates the provisions of this paragraph shall be punished by a civil fine of up to fifty dollars. The court shall waive any fine for which a person who violates the provisions of this paragraph would be liable if such person supplies the court with proof that, between the date on which he or she is charged with having violated this paragraph and the appearance date for such violation, a manufacturer's label was affixed to his or her electric scooter as required by this paragraph. Provided, however, that such waiver of fine shall not apply to a second or subsequent conviction under this paragraph.

10. (a) The governing body of any city, town or village may, by local law, ordinance, order, rule or regulation, authorize and regulate shared electric scooter systems within such city, town or village. No such shared systems shall operate within a city, town or village except as authorized by such local law, ordinance, order, rule or regulation. No such shared electric scooter system shall operate on public highways in a county with a population of no less than one million five hundred eighty-five thousand and no more than one million five hundred eighty-seven thousand as of the two thousand ten decennial census. For the purposes of this subdivision, the term shared electric scooter system shall mean a network of self-service and publicly available electric scooters, and related infrastructure, in which an electric

scooter trip begins and/or ends on any public highway.

(b) Notwithstanding any other provision of law to the contrary, all trip data, personal information, images, videos, and other recorded images collected by any shared electric scooter system which is authorized to operate within a city, town or village pursuant to this section: (i) shall be for the exclusive use of such shared electric scooter system and shall not be sold, distributed or otherwise made available for any commercial purpose and (ii) shall not be disclosed or otherwise made accessible except: (1) to the person who is the subject of such data, information or record; or (2) if necessary to comply with a lawful court order, judicial warrant signed by a judge appointed pursuant to article III of the United States constitution, or subpoena for individual data, information or records properly issued pursuant to the criminal procedure law or the civil practice law and rules. Provided, however, that nothing contained in this paragraph shall be deemed to preclude the exchange of such data, information or recorded images solely for the purpose of administering such authorized shared system.

For the purposes of this subdivision, "personal information" shall mean information that identifies an individual, including but not limited to name, address, telephone number, and the type and form of payment including credit card number, debit card number, or other payment method.

11. A violation of the provisions of subdivision one, two, three, four, six, or seven of this section shall result in a civil fine not to exceed fifty dollars.

12. A police officer shall only issue a summons for a violation of this section by a person less than sixteen years of age to the parent or guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian and where such parent or guardian is eighteen years of age or more. Such summons shall only be issued to such parent or guardian, and shall not be issued to the person less than sixteen years of age.