Legislation Details (With Text)

File #:	Int 0116-2002 **Version:** A	**Name:**	Bicycles on Sidewalks
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Transportation
On agenda:	4/10/2002		
Enactment date:	7/10/2002	**Enactment #:**	2002/014

Title: A Local Law to amend the administrative code of the city of New York, in relation to the operation of bicycles on sidewalks.

Sponsors: Gifford Miller, John C. Liu, Gale A. Brewer, Yvette D. Clarke, Ruben Diaz, Erik Martin Dilan, Simcha Felder, Alan J. Gerson, James F. Gennaro, Melinda R. Katz, Eva S. Moskowitz, Michael C. Nelson, Joel Rivera, Larry B. Seabrook, Peter F. Vallone, Jr., David I. Weprin, Martin J. Golden, Christine C. Quinn

Indexes:

Attachments: 1. Committee Report 4/25/02, 2. Hearing Transcript 4/25/02, 3. Committee Report 5/29/02, 4. Hearing Transcript 5/29/02, 5. Hearing Transcript - Stated Meeting 6/26/02, 6. Fiscal Impact Statement, 7. Local Law

Date	Ver.	Action By	Action	Result
4/10/2002	*	City Council	Introduced by Council	
4/10/2002	*	City Council	Referred to Comm by Council	
4/25/2002	*	Committee on Transportation	Hearing Held by Committee	
4/25/2002	*	Committee on Transportation	Laid Over by Committee	
5/29/2002	*	Committee on Transportation	Hearing Held by Committee	
5/29/2002	*	Committee on Transportation	Amendment Proposed by Comm	
5/29/2002	*	Committee on Transportation	Amended by Committee	
5/29/2002	A	Committee on Transportation	Approved by Committee	Pass
6/5/2002	A	City Council	Laid Over by Council	
6/26/2002	A	City Council	Sent to Mayor by Council	
6/26/2002	A	City Council	Approved by Council	Pass
7/10/2002	A	Mayor	Hearing Held by Mayor	
7/10/2002	A	Mayor	Signed Into Law by Mayor	
7/16/2002	A	City Council	Recved from Mayor by Council	

Int. No. 116-A

By The Speaker (Council Member Miller) and Council Members Liu, Brewer, Clarke, Diaz, Dilan, Felder, Gerson, Gennaro, Katz, Moskowitz, Nelson, Rivera, Seabrook, Vallone, Weprin and Golden; also Council Member Quinn

A Local Law to amend the administrative code of the city of New York, in relation to the operation of bicycles on sidewalks.

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Be it enacted by the Council as follows:

Section one. Subdivision b of section 19-176 of the administrative code of the city of New York, as enacted by local law number 6 for the year 1996, is amended to read as follows:

§19-176 Bicycle operation on sidewalks prohibited. b. No person shall ride a bicycle upon any sidewalk unless permitted by an official sign. A person who violates this subdivision may be issued a notice of violation and shall be liable for a civil penalty of not more than one hundred dollars which may be recovered in a proceeding before the environmental control board.

§2. Subdivision c of section 19-176 of the administrative code of the city of New York, as enacted by local law number 6 for the year 1996, is amended to read as follows:

c. A person who violates subdivision b of this section [under circumstances which create a substantial risk of physical injury to another person] in a manner that endangers any other person or property shall be guilty of a misdemeanor, punishable by a fine of not more than one hundred dollars [and] or imprisonment for not more than twenty days or both such fine and imprisonment. Such person shall also be liable for a civil penalty of not [more] less than one hundred dollars nor more than three hundred dollars, except where a hearing officer has determined that where there was physical contact between the rider and another person, an additional civil penalty of not less than one hundred dollars nor more than two hundred dollars may be imposed. Such civil penalties [which] may be recovered in a proceeding before the environmental control board. [Where a summons or notice of violation is issued for a violation of this subdivision, a designated employee of the department, the department of sanitation or the department of parks and recreation or a police officer may seize and impound the bicycle. In any proceeding under this subdivision it shall be a defense that the defendant or respondent was less than fourteen years old at the time of the commission of the violation.] Enforcement agents shall indicate on the summons or notice of violation issued pursuant to this subdivision whether physical contact was made between the rider and another person. Any person who violates any provision of this subdivision more than once within any six month period shall be subject to the imposition of

civil penalties in an amount that is double what would otherwise have been imposed for the commission of a first violation. It shall be an affirmative defense that physical contact between a rider and another person was in no way the fault of the rider.

§3. Subdivisions d, e and f of section 19-176 of the administrative code of the city of New York, as enacted by local law number 6 for the year 1996, are relettered as subdivisions e, f and g and a new subdivision d is added to read as follows:

d. Where a summons or notice of violation is issued for a violation of subdivision c of this section, the bicycle may be seized and impounded.

§4. Subdivision g of section 19-176 of the administrative code of the city of New York, as enacted by local law number 6 for the year 1996, is relettered as subdivision i and amended and a new subdivision h is added to read as follows:

h. In any proceeding under this section it shall be an affirmative defense that the defendant or respondent was less than fourteen years old at the time the violation was committed. i. The provisions of this section may be enforced by the police department or designated employees of the department, the department of sanitation, the department of parks and recreation[and the police department].

§5. This local law shall take effect immediately.

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