



Legislation Text

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Int. No. 317

By Council Members Rodriguez, Brannan, Koslowitz and Holden

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting riding a bicycle while intoxicated

Be it enacted by the Council as follows:

Section 1. Title 10 of the administrative code of the city of New York is amended by adding a new section 10-179 to read as follows:

§10-179 Riding a bicycle while intoxicated. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:

“Bicycle” means a two or three wheeled device upon which a person or persons may ride, propelled by human power through a belt, a chain or gears, with such wheels in a tandem or tricycle.

“Intoxicated” means a person has consumed alcohol or a controlled substance to the extent that he or she is incapable, to a substantial extent, of employing the physical and mental abilities which he or she is expected to possess in order to operate a bicycle in a reasonable and prudent manner.

“Operate” means to move via the use of pedals.

“Public highway” means any highway, road, street, avenue, alley, public place, public driveway or any other public way.

“Sidewalk” means that portion of the street, whether paved or unpaved, between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians. Where it is not clear which section is intended for the use of pedestrians the sidewalk will be deemed to be that portion of the street between the building line and the curb.

b. No person shall operate a bicycle in a manner that endangers any other person or property while in an intoxicated condition. The provisions of this section apply on public highways and any sidewalk. 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 only be recovered in a proceeding before the environmental control board.

§2. This local law takes effect immediately.

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