



Legislation Text

File #: Int 1250-2018, **Version:** *

Int. No. 1250

By Council Members Cabrera, Rodriguez, Salamanca, Ulrich, Levine, Koslowitz, Richards, Torres, Cornegy, Constantinides, Ampy-Samuel, Brannan, Maisel, Cumbo, Gjonaj, the Public Advocate (Mr. Williams), Rivera, Van Bramer, Adams, Reynoso and Borelli

A Local Law to amend the administrative code of the city of New York, in relation to the operation of certain electric scooters

Be it enacted by the Council as follows:

Section 1. Section 19-176.2 of the administrative code of the city of New York, subdivisions a and d of such section as amended by local law number 40 for the year 2013 and subdivisions b and c of such section as added by local law number 51 for the 2004, is amended to read as follows:

§ 19-176.2. Motorized scooters. a. For purposes of this section, the term “motorized scooter” shall mean any wheeled device that has handlebars that is designed to be stood or sat upon by the operator, is powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York State Department of Motor Vehicles. For the purposes of this section, the term motorized scooter shall not include wheelchairs or other mobility aids designed for use by disabled persons or motorized scooters powered by an electric motor incapable of propelling the device more than 15 miles per hour.

b. No person shall operate a motorized scooter in the city of New York.

c. Any person who violates subdivision b of this section shall be liable for a civil penalty in the amount of [five hundred dollars] \$100. Authorized employees of the police department and department of parks and recreation shall have the authority to enforce the provisions of this section. Such penalties shall be recovered in a civil action or in a proceeding commenced by the service of a notice of violation that shall be returnable

before the environmental control board. In addition, such violation shall be a traffic infraction and shall be punishable in accordance with section eighteen hundred of the New York state vehicle and traffic law.

d. Any motorized scooter that has been used or is being used in violation of the provisions of this section that has been operated in a manner that endangers the safety of the operator or the safety or property of another may be impounded and shall not be released until any and all removal charges and storage fees and the applicable fines and civil penalties have been paid or a bond has been posted in an amount satisfactory to the commissioner of the agency that impounded such [vehicle] device.

e. Motorized scooters powered by an electric motor incapable of propelling the device more than 15 miles per hour shall be subject to the same rights and responsibilities attributed to operators of bicycles under the code and the rules of the city of New York.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of transportation shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

EL
LS # 7646
11/21/18