



Legislation Text

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A Local Law to amend the administrative code of the city of New York, in relation to the prohibition on the sale, lease, rental or operation of motorized scooters.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. The Council of the City of New York hereby finds that the operation of motorized scooters in the City presents a growing risk to the life and health of scooter operators, motorists, and pedestrians. The United States Consumer Product Safety Commission reported 4,390 emergency room-treated injuries associated with motorized scooters in the year 2000. Thirty-nine percent of those injured were under 15 years of age.

Scooters were originally designed for human power and low-speed operation. Their motorized counterparts travel up to forty miles per hour and cannot be maneuvered safely at these speeds. Difficulty of control poses risks to operators, pedestrians and vehicular traffic in the streets of the City. The absence of licensing or safety requirements compounds these risks.

The New York State Vehicle and Traffic Law mandates that registration is required for operating motorized vehicles on public streets. The Department of Motor Vehicles has declared that motorized scooters cannot be registered and therefore should not be allowed on public streets. Furthermore, a state legislative initiative is currently under way to explicitly legalize the scooters. The Council is enacting this local law to eliminate the significant safety risks posed by the increasing use of motorized scooters.

§2. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is

amended by adding a new section 19-176.2 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 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 may not be 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.

b. No person shall sell, lease, or rent a motorized scooter to another person or operate a motorized scooter in the city of New York.

c. Any person who violates subdivision b of this section by selling, leasing or renting a motorized scooter to another person shall be liable for a civil penalty in the amount of one thousand dollars, imprisonment for fifteen days, or both such fine and imprisonment.

d. Any person who violates subdivision b of this section by operating a motorized scooter shall be liable for a civil penalty in the amount of five hundred dollars. Such violation shall be a traffic infraction and shall be punishable in accordance with section 1800 of the vehicle and traffic law. The motorized scooter shall also be subject to impoundment.

e. The provisions of this section may be enforced by the police department and designated employees of the department of transportation and department of parks and recreation.

§3. This local law shall take effect ninety days after its enactment into law, except that the police commissioner and the commissioners of transportation and parks and recreation shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.