File #: Res 0024-2024, **Version:** A

Proposed Res. No. 24-A

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.8052 and S.7703, and any other legislation necessary to require that purchasers of new limited use motorcycles present a driver's license appropriate for the legal operation of such limited use motorcycles to the limited use motorcycle dealer, and register such limited use motorcycles, prior to completing a purchase

By Council Members Brewer, Schulman, Krishnan, Won, Louis, Bottcher, Sanchez, Williams, Riley, Gennaro, Banks and Ayala

Whereas, Limited use motorcycles, also commonly called mopeds or motor scooters, are required to be registered with the New York State Department of Motor Vehicles (DMV) before operation on the roads and other public ways in New York City, but are not required to be so registered at point of sale; and

Whereas, Limited use motorcycles, as motor vehicles, may also only be operated by an individual with a valid driver's license; and

Whereas, Many of the City's 65,000 delivery workers transitioned from operating bicycles and battery-powered bicycles, which are not subject to the same laws that motor vehicles are subject to, to limited use motorcycles which under law are classified as motor vehicles; and

Whereas, Some purchasers of limited use motorcycles may be unaware of the legal requirement to register limited use motorcycles prior to operation on the City's streets, or to possess a valid driver's license while operating them; and

Whereas, The New York City Police Department (NYPD) informed Streetsblog that they had issued 29,306 moving violations to limited use motorcycle riders, and other motorcycle riders in the first 8 months of 2023, up from 17,016 and 13,525 in that same time period in 2022 and 2021 respectively; and

Whereas, It was also reported that by September 14, 2023, NYPD had seized 8,607 illegal limited use

motorcycles, more than twice the amount seized in the same period the previous year; and

Whereas, Illegal operation of unregistered limited use motorcycles poses a danger to pedestrians, cyclists, other users of the roadway, as well as to the operators of such limited use motorcycles themselves; and

Whereas, All terrain vehicles (ATVs) are required to be registered prior to operation within the State, and, under the New York State Vehicle and Traffic law, all ATVs sold by a dealer for use in the State must be registered with the DMV at the time of sale;

Whereas, S.7703, sponsored by New York State Senator Brad Hoylman-Sigal, has been introduced in the New York State Senate and would require that all limited use motorcycles purchased from a dealer be registered with the DMV at the time that limited use motorcycle is purchased; and

Whereas, A.8052, sponsored by New York State Assemblymember Alex Bores, has been introduced in the New York State Assembly and would require that all limited use motorcycles purchased from a dealer be registered with the DMV at the time the limited use motorcycle is purchased, and that dealers require proof of registration of the limited use motorcycle prior to transferring the limited use motorcycle to the purchaser, or otherwise register the limited use motorcycle for the purchaser; and

Whereas, Although these bills would provide needed safeguards to reduce the number unregistered motor vehicles on New York City's streets, additional legislation should be adopted to require that dealers also require proof that the registrant possesses a valid driver's license in an effort to ensure that purchasers of limited use motorcycles are licensed to operate those vehicles on the City's streets; now, therefore, be it

Resolved, That the New York City Council calls on the New York State Legislature to pass, and the Governor to sign, A.8052 and S.7703, and any other legislation necessary to require that purchasers of new limited use motorcycles present a driver's license appropriate for the legal operation of such limited use motorcycles to the limited use motorcycle dealer, and register such limited use motorcycles, prior to completing a purchase.

Session 12

MC

LS #14050, 14434, 14444, 14467

2/9/2024