File #: Int 1039-2024, **Version:** *

Int. No. 1039

By Council Members Restler, Ossé, Marte, Hudson, Cabán, Brannan, Hanif, Brewer and Abreu

A Local Law to amend the administrative code of the city of New York, in relation to setting maximum amounts for certain member usage fees charged by a bike share operator

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-194.1 to read as follows:

§ 19-194.1 Bike share fees. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Bicycle. The term "bicycle" has the same meaning as set forth in subdivision a of section 19-176.

Bicycle with electric assist. The term "bicycle with electric assist" has the same meaning as set forth in section 102-c of the vehicle and traffic law.

Bicycle without electric assist. The term "bicycle without electric assist" means a bicycle that is not a bicycle with electric assist.

Bike share operator. The term "bike share operator" has the same meaning as set forth in subdivision a of section 19-194.

Bike share program. The term "bike share program" has the same meaning as set forth in subdivision a of section 19-194.

Member. The term "member" means an individual who, due to payment of a membership or subscription fee to a bike share program, is entitled to use bike share program bicycles at no cost or a discounted cost for a period of no less than 10 days.

Member usage fee. The term "member usage fee" means the fee charged to a member for the period between the check out and return of a bicycle, not including (i) charges for damaged, lost, stolen or otherwise unreturned bicycles or (ii) any membership or subscription fee.

Subway fare. The term "subway fare" means the base fare for a subway ride set by the metropolitan transportation authority, excluding any discounts.

b. The member usage fee shall not exceed the subway fare when:

1. The period between check out and return of a bicycle with electric assist is 1 hour or less, or

2. The period between check out and return of a bicycle without electric assist is 2 hours of less.

§ 2. This local law takes effect 120 days after it becomes law. Where the provisions of section 19-194.1 of the administrative code of the City of New York, as added by section one of this local law, cannot be applied consistently with currently applicable contracts, such provisions shall only apply with respect to contracts entered into or renewed after the effective date of this local law. JGP
LS #16480
7/17/24 11:00 AM