File #: Res 0044-2026, **Version:** *

Res. No. 44

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.1679/S.561, in relation to increasing the penalty for leaving the scene of an accident involving an e-scooter and further calling upon the New York State Legislature to include e-bikes in such legislation

By Council Members Brewer, Louis, Zhuang, Schulman, Wilson, Maloney, Morano, Ariola and Paladino

Whereas, The transportation sector within the City of New York ("the City") has rapidly expanded and is becoming increasingly multimodal; and

Whereas, In 2019, the Council of the City of New York passed, and Mayor Bill de Blasio signed, Local Law 195 of 2019, which, among other street safety and major transportation improvements, requires the New York City Department of Transportation ("DOT") to install at least 250 protected bike lanes and redesign at least 2,000 signalized intersections; and

Whereas, With the emergence of new technologies, as well as the City's vast investment in transportation improvement projects, the adoption of electric bikes ("e-bikes") and electric scooters ("e-scooters") within the City of New York has become more common; and

Whereas, In 2020, the New York State Legislature passed legislation allowing for people to operate e-bikes and e-scooters on many streets within the State and the City Council subsequently passed legislation removing prohibitions in local law; and

Whereas, The New York City administrative code states that e-bikes and e-scooters cannot ride on sidewalks; and

Whereas, According to an analysis of 311 compliant data by the not-for-profit news organization, The City, complaints filed reporting instances of cycling, scootering, and in-line skating occurring in unwanted

locations has dramatically increased, from 484 complaints in 2019 to 1,036 in 2021; and

Whereas, New York State Vehicle and Traffic Law prohibits any person operating a motor vehicle from leaving the scene of a traffic accident without reporting it; and

Whereas, According to former DOT Commissioner Polly Trottenberg, who was quoted in a 2018 article by the New York Times, "[Crash investigations provide] crucial information about what happens in particular crashes," and, according to the article, such investigations help DOT identify roadways in need of redesign or other safety measures needed; and

Whereas, In 2021, the New York City Council passed, and Mayor Bill de Blasio signed, Local Law 49 of 2021, which required the Department of Transportation to create a crash investigation and analysis unit tasked with investigating, analyzing and reporting on all vehicle crashes involving significant injury; and

Whereas, Local Law 49 also requires the Department of Transportation to make recommendations for safety-improving changes to street design and infrastructure, and to post reports regarding its crash reviews on the Department of Transportation's website; and

Whereas, The City has an overall interest in ensuring that individuals do not leave the scene of a traffic collision; and

Whereas, A.1679 by Assemblymember Linda B. Rosenthal and S.561 by State Senator Brad Hoylman-Sigal would amend the New York State Vehicle and Traffic law to increase the penalties for leaving the scene of an accident involving an electric scooter without reporting it: in the second degree from a violation to a Class-A misdemeanor; and in the first degree from a Class-B misdemeanor to a Class-E felony; and

Whereas, Such legislation might encourage e-scooter riders involved in a collision to stay at the scene of the collision site, which could potentially increase pedestrian and traffic safety; and

Whereas, Including e-bikes in such legislation could potentially further increase pedestrian and traffic safety; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass,

and the Governor to sign, A.1679/S.561, in relation to increasing the penalty for leaving the scene of an accident involving an e-scooter and further calls upon the New York State legislature to include e-bikes in such legislation.

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LS #13380
Res. #0231-2024
12/31/2025 2:31 PM