

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2013**

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**No. 40**

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Introduced by Council Members Garodnick, Chin, Comrie, Gennaro, Gentile, Gonzalez, James, Koo, Mark-Viverito, Nelson, Van Bramer, Rodriguez, Mealy, Greenfield, Jackson and Ulrich.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to the enforcement of motor scooter provisions.**

*Be it enacted by the Council as follows:*

Section 1. Subdivisions a and d of section 19-176.2 of the administrative code of the city of New York, as added by local law number 51 for the year 2004, are amended to read as follows:

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[, electric powered devices not capable of exceeding fifteen miles per hour or "electric personal assistive mobility devices" defined as self-balancing, two non-tandem wheeled devices designed to transport one person by means of an electric propulsion system].

d. Any motorized scooter that has been used or is being used in violation of the provisions of this section 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 [police] commissioner *of the agency that impounded such vehicle*.

§ 2. This local law shall take effect one hundred eighty days after it shall have become law, except that the commissioners of the police department and the department of parks and recreation shall take all actions necessary, including the promulgation of rules, to implement this local law on or before the date upon which it shall take effect.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on .....April 25, 2013..... and approved by the Mayor on .....May 15, 2013.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 40 of 2013, Council Int. No. 1026-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.