



Legislation Text

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Int. No. 883

By Council Members Holden, Stevens, Gennaro, Yeger, Sanchez, Paladino, Ariola and Vernikov

A Local Law to amend the administrative code of the city of New York, in relation to the operation of motorized scooters, and to repeal subdivision e of section 19-176.2 of such code, relating to operators of electric scooters and bicycles with electric assist

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-176.2 of the administrative code of the city of New York, as amended by local law number 73 for the year 2020, is amended to read as follows:

a. Definitions. For purposes of this section, the term "motorized scooter" [shall mean] means (i) 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[.], (ii) an electric scooter as defined in section 114-e of the vehicle and traffic law or successor provision, and (iii) a bicycle with electric assist as defined in section 102-c of the vehicle and traffic law or successor provision. For the purposes of this section, the term motorized scooter [shall] does not include wheelchairs or other mobility devices designed for use by persons with disabilities[; or an electric scooter as such term is defined in section 114-e of the vehicle and traffic law or successor provision; or a bicycle with electric assist as defined in section 102-c of the vehicle and traffic law or successor provision].

§ 2. Subdivision c of section 19-176.2 of the administrative code of the city of New York, as amended by local law number 72 for the year 2020, is amended to read as follows:

c. Any person who violates subdivision b of this section shall be liable for a civil penalty in the amount

of [\$250] \$500. Authorized employees of the police department and department of parks and recreation shall have the authority to enforce the provisions of this section. Such penalties shall be recovered in a civil action or in a proceeding commenced by the service of a notice of violation that shall be returnable before the environmental control board. In addition, such violation shall be a traffic infraction and shall be punishable in accordance with section eighteen hundred of the New York state vehicle and traffic law.

§ 3. Subdivision d of section 19-176.2 of the administrative code of the city of New York, as amended by local law number 72 for the year 2020, is amended to read as follows:

d. Any motorized scooter that has been used or is being used in violation of the provisions of this section [that has been operated in a manner that endangers the safety of the operator or the safety or property of another] 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 commissioner of the agency that impounded such device.

§ 4. Subdivision e of section 19-176.2 of the administrative code of the city of New York is REPEALED.

§ 5. This local law takes effect 120 days after it becomes law.

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