



NEW YORK STATE SENATOR

Jose Peralta

State Senator Jose Peralta announces substantial amendments to his hoverboard and electric unicycle legalization bill

JOSE PERALTA January 12, 2016

State Senator Jose Peralta today announced significant policy changes to his legislation that is intended to legalize and regulate the use of hoverboards and electric unicycles in New York State. In December, Senator Peralta introduced a bill (S. 6260) that would no longer consider these popular devices to be “electric personal mobility assistive devices” under the State's Vehicle and Traffic Law. Some of the modifications to the legislation (S. 6260A) include the imposition of civil penalties for the reckless operation of these unique devices.

In light of recent reports that some hoverboards are igniting into flames or exploding, the new proposal empowers the State Department’s Division of Consumer Protection with the capacity to investigate complaints of these incidents, as well as keep a public database that catalogs them. If the Division determines that hoverboards or electric unicycles have exploded, the agency would post the brand, model, manufacturer and retail seller of the malfunctioning device on its website. “We have to deal with this issue head on because the reality is that this a new technology,” said Senator Peralta. “As we await new safety standards from the U.S. Consumer Product Safety Commission, we must take interim steps to ensure that shoddy versions of these devices and poor components are not finding their way into the marketplace.”

In addition, manufacturers and retail sellers that distribute devices that explode or ignite into flames will face a civil penalty of \$1,000 for each violation. On a third violation, these businesses would lose the ability to sell hoverboards and electric unicycles in New York State. “This is a three strikes and you're out scenario. We simply cannot have people selling products that may endanger the safety of consumers,” said Senator Peralta.

Another change relates to the “reckless operation” of these popular devices. If a person rides these devices in a manner that endangers the safety or property of another, the hoverboard or electric cycle operator will face fines under New York State law. Like current New York City rules that apply to skateboarding or in-line skating on sidewalks, reckless operators of hoverboards or electric unicycles will face penalties ranging from \$50 to \$100. Under the proposal, hoverboard and electric unicycle users could safely operate their devices in public parks and would not face a fine if riding them safely on sidewalks.

“Hoverboard and electric unicycle riders don’t belong in urban streets where a sidewalk is available. The last thing we want is to have a hoverboard operator get into a major accident with a truck, car or motorbike,” said Senator Peralta. “And while riding on city sidewalks, they have to make sure they do so in a safe manner, while providing pedestrians with the utmost respect.”

The legislation further mandates that hoverboard and electric unicycle riders under the age of 18 wear protective gear while operating these devices, specifically a helmet, knee pads and wrist guards. “We must ensure that our kids ride these popular devices in a manner that is very safe,” said Senator Peralta.

The bill continues to provide municipal authorities with the power to create their own additional regulations regarding these devices, as there is no “one size fits all” approach available at the State level to address the wide range of varying traffic concerns across New York State.