

LOCAL LAW NO. ____ OF 2026

A LOCAL LAW amending the code of the Village of Quogue by adding a new Chapter 70 entitled Bicycles, Skates, Skateboards, Scooters and Bicycles with Electric Assist.

BE IT ENACTED by the Board of Trustees of the Village of Quogue as follows:

SECTION 1. Legislative intent.

A. The Board of Trustees hereby intends this local law to require individuals under the age of 18 to wear helmets while bicycling, including with electric assist, skateboarding, in-line skating, or scootering within the Village of Quogue. Individuals over the age of 18 shall be required to wear helmets while operating bicycles with electric assist or electric or motorized scooters. These requirements are intended to promote the health and safety of riders and others using Village streets and public areas.

B. The Board of Trustees hereby intends this local law to establish rules for the safe operation of bicycles within the Village of Quogue and to prohibit reckless or dangerous riding that may endanger bicyclists, pedestrians, motorists, or other users of Village roadways.

C. The Board of Trustees finds and determines that people are increasingly using electric and motorized scooters and bicycles with electric assist as a means of transportation. The Board of Trustees also finds and determines that new data shows emergency room visits for the injuries among young drivers have jumped more than 600 percent in the last three years. Therefore, the Board of Trustees hereby intends this local law to regulate the use of electric-assist bicycles and electric or motorized scooters within the Village of Quogue in accordance with applicable State and County laws and to promote public safety and the safe use of these vehicles on public streets and other public areas.

SECTION 2. Amendment. The Code of the Village of Quogue is hereby amended by adding a new Chapter 70 entitled Bicycles, Skates, Skateboards, Scooters and Bicycles with Electric Assist as follows:

CHAPTER 70 BICYCLES, SKATES, SKATEBOARDS, SCOOTERS AND BICYCLES WITH ELECTRIC ASSIST

§70-1. Definitions.

A. As used in this Chapter, the following terms shall have the meanings indicated:

BICYCLE - Every one-, two- or three-wheeled device upon which a person or persons may ride, propelled by human power through a belt, chain or gears, with such wheels in a tandem or tricycle, except that it should not include such a device having solid tires and intended for use only on a sidewalk by pre-teenage children. For the purposes of this Chapter, the term “bicycle” shall include a unicycle.

BICYCLE WITH ELECTRIC ASSIST - As further defined in New York State Vehicle and Traffic Law §102-C, a bicycle that is no more than thirty-six inches wide and has an electric motor of less than seven hundred fifty watts, equipped with operable pedals, meeting the equipment and manufacturing requirements for bicycles adopted by the Consumer Product Safety Commission under 16 C.F.R. Part 1512.1 et. seq. and meeting the requirements of one of the following:

- a. Class one. A bicycle with electric assist having an electric motor that provides assistance only when the person operating such bicycle is pedaling, and that ceases to provide assistance when such bicycle reaches a speed of twenty miles per hour.
- b. Class two. A bicycle with electric assist having an electric motor that may be used exclusively to propel such bicycle, and that is not capable of providing assistance when such bicycle reaches a speed of twenty miles per hour.

HIGHWAY - Includes any public way as further defined by New York State Vehicle and Traffic Law §118.

JESSUP AVENUE BUSINESS DISTRICT – The primary area of the Business District of the Village of Quogue that encompasses the area bounded by the following streets and shall include any operation upon the sidewalks appurtenant thereto: Beginning at the corner of Midland Street and Jessup Avenue, running thence on both sides of Jessup Avenue southerly to Quogue Street; running thence on both sides of Quogue Street easterly approximately 300 feet and westerly approximately 150 feet.

PARKING LOT – An area improved and designated for the parking of vehicles on either private or municipal land, and includes those areas as further defined by New York State Vehicle and Traffic Law §129- b.

SCOOTER – A foot operated vehicle consisting of a narrow footboard typically mounted on one wheel or between two wheels tandem with an upright steering handle attached to the front wheel.

SCOOTER, ELECTRIC - As further defined in New York State Vehicle and Traffic Law §114-E, every device weighing less than one hundred pounds that (a) has handlebars, a floorboard or a seat that can be stood or sat upon by the operator, and an electric motor, (b) can be powered by the electric motor and/or human power, and (c) has a maximum speed of no more than twenty (20) miles per hour on an improved level surface when powered solely by the electric motor. For the purposes of this Chapter, the term “electric scooter” shall include an electric unicycle and segway.

SCOOTER, MOTORIZED - A skateboard or like device with one or more wheels and an upright steering mechanism attached to the front wheel or wheels, upon which a person or persons may ride propelled by other than muscular power, except that it shall not include an electrically driven mobility assistance device or wheelchair as those devices are further defined in §130-a of the New York Vehicle and Traffic Law, nor shall it include any low-speed vehicle as such is further defined in §121-f of the New York Vehicle and Traffic Law. For the purposes of this Chapter, the term “motorized scooter” shall include a motorized unicycle and segway.

SIDEWALK - The portions of the street right-of-way between the curb lines and the adjacent property lines, whether improved or grass, intended to be used for pedestrians, and includes those areas of the Village of Quogue as further defined by New York State Vehicle and Traffic Law §144.

SKATEBOARD - A manufactured or assembled device consisting of a platform having one or more small wheels mounted or permanently attached thereto for skating or gliding by means of human foot, leg power and/or by motor. For the purpose of this Chapter, the term "skateboard" shall include all variations of skateboards, including but not limited to longboards, cruisers, hoverboards and motorized or electric skateboards.

STREET – A public highway or roadway and includes those areas as further defined by New York State Vehicle and Traffic Law §148.

B. In addition to the above definitions, any applicable definitions of Chapter 174 (Vehicles and Traffic) of the Code of the Village Quogue, Chapter 319 of the laws of the county of Suffolk and the New York State Vehicle and Traffic Law shall be deemed to be included herein.

ARTICLE I USE OF HELMETS

§70-2. Use by helmets by all Individuals. No individual under the age of 18 shall operate a bicycle (with or without electric assist), skateboard, or glide on in-line skates, or a scooter (whether motorized, electric or not) within the geographic boundaries of the Village of Quogue unless such individual is wearing a helmet meeting the requirements as set forth in New York Vehicle and Traffic Law §1238(5-a), or successor standards set by the Commissioner of the New York State Department of Motor Vehicles. No individual over the age of 18 shall operate a bicycle with electric assist, or an electric or motorized scooter within the geographic boundaries of the Village of Quogue unless such individual is wearing a helmet meeting the requirements as set forth in New York Vehicle and Traffic Law §1238(5-a), or successor standards set by the Commissioner of the New York State Department of Motor Vehicles. For the purposes of this Chapter, "wearing a helmet" shall mean having a properly fitted helmet fastened securely upon the head of the wearer with the helmet straps securely fastened.

§70-3. Issuance of summons to parent or guardian. A summons for a violation of this article I by a person less than sixteen (16) years of age shall be issued to the parent, guardian or caretaker

of such person if the violation by such person occurs in the presence of such person's parent, guardian or provided such guardian or caretaker is eighteen (18) years of age or more. Such summons may only be issued to such guardian or caretaker and shall not be issued to the person less than sixteen (16) years of age.

§70-4. Penalties for offenses; enforcement.

A. Any person who violates this article shall pay a fine not to exceed \$500.

B. This fine shall be waived for any individual alleged to have violated §70-2 of this article and who supplies the court with written proof that, between the date of violation and the initial appearance before the court for response to such violation, such individual has purchased a helmet which meets the requirements of §70-2 of this article. This waiver of the fine shall not apply to a second or subsequent violation of §70-2 of this article.

C. The Village of Quogue Police Department, including the Code Enforcement Officer, shall enforce the provisions of this article by the issuance of a summons returnable in the Quogue Justice Court.

**ARTICLE II
BICYCLES**

§70-5. Bicycle riding; Rules and regulations. Every operator of a bicycle shall comply with the following rules and regulations:

A. Riding abreast. When two or more persons in a group are operating bicycles on a roadway, they shall ride single file.

B. Extra passenger. No person operating a bicycle shall carry another person, except upon a seat specifically provided for such passenger.

C. Emerging from alleys, driveways and garages. The operator of a bicycle emerging from an alley, driveway, garage or private sidewalk shall stop the bicycle immediately prior to driving onto or across a public sidewalk or onto or across a public sidewalk line projected across an alley and shall exercise extreme care in making such movements.

D. Clinging to vehicles. No person operating a bicycle shall cling or attach himself or the bicycle to any other moving vehicle.

E. Lights. No bicycle shall be operated within the period from sunset to sunrise without having a properly lighted headlight attached to the front of the bicycle, visible under normal atmospheric conditions from the front thereof a distance of not less than 300 feet, nor without having a red light or a reflector attached to the rear of the bicycle, which is clearly visible in the headlight beam of a motor vehicle for a distance of not less than 200 feet to the rear of the bicycle.

F. Mechanical condition. No person shall operate a bicycle which is not in such mechanical condition so that it can be safely operated.

G. Trick riding. Any person operating a bicycle shall refrain from any trick riding and shall operate said bicycle with at least one hand on the handlebars.

H. Sidewalks restricted. No person shall operate a bicycle on any sidewalk within the Jessup Avenue Business District. Bicycles may be walked in an orderly manner on such sidewalks. Bicycles parked on a sidewalk shall be parked in an upright position in a manner so as to not impede pedestrian traffic or block driveways. Bicycles shall be parked at bicycle racks where available.

I. Speed. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing.

J. Traffic regulations. Every person operating a bicycle shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto and shall obey the orders and directions of every officer of the Village of Quogue authorized to direct or regulate traffic.

§70-6. State law provisions. Except as actually set forth in this chapter, the Village of Quogue hereby incorporates by reference the provisions of Article 34, §230 et seq., of the Vehicle and Traffic Law of the State of New York as it now exists and as from time to time may be amended. Should the requirements of this Chapter conflict with or otherwise be inconsistent with any provision or requirement of the Vehicle and Traffic Law, the more stringent provisions, or those imposing the higher standards, shall govern.

§70-7. Serial numbers required. It shall be a violation for any person to possess or any dealer in bicycles operating in the Village of Quogue to purchase, receive in trade or otherwise acquire any bicycle from which the serial number on the frame has been removed, destroyed, mutilated or altered, without first reporting the same to the Village of Quogue Police Department.

§70-8. Authority to remove and impound bicycles.

A. When any bicycle is operated, parked, abandoned or kept motionless on any sidewalk within the Village of Quogue not in accordance with §70-5H hereinabove described, said bicycle may be removed by the Village of Quogue Police Department.

B. When any bicycle is found unattended on any public highway in the Village of Quogue where such bicycle constitutes an obstruction of traffic, such bicycle may be removed by the Village of Quogue Police Department.

C. When any bicycle is parked or abandoned within the Village of Quogue where parking, stopping or standing is prohibited or said bicycle is parked upon private property without the consent of the owner of such property, such bicycle may be removed by the Village of Quogue Police Department.

D. Any bicycle operated or possessed in violation of this chapter may be removed by the Village of Quogue Police Department.

§70-9. Redemption of bicycles.

A. Prior to releasing any bicycle removed by the Village of Quogue Police Department under the authority of the preceding sections, the alleged owner of the bicycle shall execute a sworn affidavit, under penalty of perjury, describing the bicycle and alleging ownership of the bicycle by the affiant. Such sworn statements shall be a record kept and maintained by the Village of Quogue Police Department.

B. Any bicycle seized under the authority of this article shall be stored for safekeeping by the Village of Quogue Police Department and may assess an administrative processing fee of \$50.00 and a storage fee of \$5.00 per day thereafter. Storage fees shall be assessed for days on which the bicycle is being stored by the Village of Quogue Police Department, excluding the day on which the bicycle was seized and the day it is re-claimed.

C. An impound form shall be used by the Village of Quogue Police Department for each removal.

D. Redemption of bicycles shall be made from the Village of Quogue Police Department during business hours, typically between 9:00 a.m. to 3:30 p.m., Monday through Friday, excluding holidays.

§70-10. Disposition of unclaimed bicycles. The disposition of unclaimed bicycles shall be governed by Article 7-B of the New York State Personal Property Law.

§70-11. Enforcement. The Village of Quogue Police Department, including the Code Enforcement Officer, shall enforce the provisions of this article by the issuance of a summons returnable in the Quogue Justice Court.

§70-12. Issuance of summons to parent or guardian. A summons for a violation of this article II by a person less than sixteen (16) years of age shall be issued to the parent, guardian or caretaker of such person if the violation by such person occurs in the presence of such person's parent, guardian or provided such guardian or caretaker is eighteen (18) years of age or more. Such summons may only be issued to such guardian or caretaker and shall not be issued to the person less than sixteen (16) years of age.

§70-13. Penalties for offenses. A violation of this article shall be punishable by a fine not exceeding \$250 for the first offense and \$500 for second or subsequent offenses, or imprisonment of up to fifteen (15) days, or both.

ARTICLE III ELECTRIC OR MOTORIZED SCOOTERS AND BICYCLES WITH ELECTRIC ASSIST

§70-14. Compliance with federal, state and county law provisions.

A. Electric or motorized scooters and bicycles with electric assist shall comply with all applicable federal safety standards.

B. This article is adopted pursuant to the New York State Vehicle and Traffic Law §1281, Subdivision 2(b) thereof and New York State Vehicle and Traffic Law §1242, Subdivision 3(b) thereof.

C. Except as actually set forth in this article, the Village of Quogue hereby incorporates by reference the provisions of Article 34-D, §1282 and §1242 thereof, of the Vehicle and Traffic Law of the State of New York and Article IX, §319-52 of the laws of the County of Suffolk as it now exists and as from time to time may be amended. Should the requirements of this article conflict with or otherwise be inconsistent with any provision or requirement of the Vehicle and Traffic Law and the laws of the County of Suffolk, the more stringent provisions, or those imposing the higher standards, shall govern.

§70-15. Rules and regulations. Electric scooters and bicycles with electric assist may be operated on public streets and highways, subject to the rules and regulations set forth herein.

A. No person shall operate an electric or motorized scooter in excess of fifteen (15) miles per hour. No person shall operate a bicycle with electric assist in excess of twenty (20) miles per hour.

B. Operation of electric or motorized scooters and bicycles with electric assist shall be prohibited on any street or highway with a posted speed limit in excess of thirty (30) miles per hour.

C. Operators of electric or motorized scooters and bicycles with electric assist shall be required to wear a helmet that conforms with the requirements established by New York State Vehicle and Traffic Law §1238 designed to protect against serious head injury at all times that the electric or motorized scooter or bicycle with electric assist is in motion.

D. Riding abreast. When two or more people in a group are operating an electric or motorized scooter or bicycle with electric assist on a street or highway, they shall ride single file.

E. No electric or motorized scooter or bicycle with electric assist shall be used to carry more than one person at one time. No person operating an electric or motorized scooter or bicycle with electric assist shall carry any person as a passenger in a pack fastened to the operator or fastened to the electric or motorized scooter or bicycle with electric assist.

F. No person operating an electric or motorized scooter or bicycle with electric assist shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handlebars or which obstructs his or her vision in any direction, and both wheels of the scooter or bicycle with electric assist shall be upon the ground at all times during operation.

G. Every person operating an electric or motorized scooter or bicycle with electric assist shall yield the right-of-way to pedestrians in all circumstances.

H. Intoxication. No person shall operate an electric or motorized scooter or bicycle with electric assist while under the influence of alcohol or drugs, to include:

(1) No person shall operate an electric or motorized scooter or bicycle with electric assist while the person's ability to operate such is impaired by the consumption of alcohol.

(2) No person shall operate an electric or motorized scooter or bicycle with electric assist while such person has 0.08 of 1% or more by weight of alcohol in the person's blood as shown by chemical analysis of such person's blood, breath, urine, or saliva.

(3) No person shall operate an electric or motorized scooter or bicycle with electric assist while in an intoxicated condition or while the person's ability to operate such bicycle is impaired by the use of any drug(s).

(4) The provisions of this section apply to public streets and highways, and other roads open to motor vehicle and bicycle traffic, and any other parking lot. For the purposes of this section, "parking lot" shall also mean any area or areas of private property, including a driveway, near or contiguous to and provided in connection with premises and used as a means of access to and egress from a public highway to such premises and having a capacity for the parking of four or more motor vehicles. The provisions of this section shall not apply to any area or areas of private property comprising all or part of property on which is situated a one-or two-family residence.

I. Compliance with regulations. Every person operating an electric or motorized scooter or bicycle with electric assist shall obey all stop signs and traffic control signals and comply with all traffic regulations of the State of New York, County of Suffolk and Village of Quogue.

J. Sidewalks restricted. No person shall operate an electric or motorized scooter or bicycle with electric assist on any sidewalk within the Jessup Avenue Business District. Electric or motorized scooters or bicycles with electric assist may be walked in an orderly manner on such sidewalks. Electric or motorized scooters or bicycles with electric assist parked on a sidewalk shall be parked in an upright position in a manner so as to not impede pedestrian traffic or block driveways. Electric or motorized scooters or bicycles with electric assist shall be parked at bicycle racks where available.

K. Traffic regulations. Every person operating an electric or motorized scooter or bicycle with electric assist shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto and shall obey the orders and directions of every officer of the State of New York, County of Suffolk or Village of Quogue authorized to direct or regulate traffic.

L. No electric or motorized scooter shall be operated upon any way, or in any place to which the public has a right of access, or in any place which the public has right of access as invitees or licensees, within the Village of Quogue between the hours of 1/2 hour after sunset and 1/2 hour before sunrise.

M. No person aged fifteen (15) years or younger shall operate an electric or motorized scooter or bicycle with electric assist on public property or on the street.

N. No person shall operate an electric or motorized scooter or bicycle with electric assist in a reckless fashion, to include:

- (1) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb, or property of any person while in lawful use of the streets or sidewalks or any other public or private property.
- (2) By weaving or steering in a zig-zagging course around motor vehicles in operation on the roadway, unless such irregular course is necessary for safe operation in compliance with this article and the New York Vehicle and Traffic Law.
- (3) By trick riding on roads or parking lots which actively have motor vehicle or other road user traffic, including pedestrians and cyclists.

O. No person shall flee from the police or traffic control officer while operating an electric or motorized scooter or bicycle with electric assist. An operator of an electric or motorized scooter or bicycle with electric assist is required to stop or pull over when directed to do so by a police or traffic control officer, or by their marked vehicle by the activation of either its lights or siren. Additionally, no person operating an electric or motorized scooter or bicycle with electric assist shall flee from a police or traffic control officer at an unsafe speed, recklessly, or in any manner that would constitute a danger to other motor vehicles, pedestrians, or property.

§70-16. Enforcement. The Village of Quogue Police Department, including the Code Enforcement Officer, shall enforce the provisions of this article by the issuance of a summons returnable in the Quogue Justice Court.

§70-17. Issuance of summons to parent or guardian. A summons for a violation of this article III by a person less than sixteen (16) years of age shall be issued to the parent, guardian or caretaker of such person if the violation by such person occurs in the presence of such person's parent, guardian or provided such guardian or caretaker is eighteen (18) years of age or more. Such summons may only be issued to such guardian or caretaker and shall not be issued to the person less than sixteen (16) years of age.

§70-18. Penalties for offenses.

A. Except as provided elsewhere in this article, a violation of this article shall be punishable by a fine not exceeding \$500 for the first offense and \$1,000 for second or subsequent offenses, or imprisonment of up to fifteen (15) days, or both.

B. A violation of §70-15(H), §70-15(L), §70-15(M) and/or §70-15(N) of this article warrants the immediate seizure and impound of the electric or motorized scooter or bicycle with electric assist material to the offense and an additional fine of up to \$1,500.

C. The parent or legal guardian, other than a state or legal Social Services Department foster parent

having custody, of any unemancipated person under the age of eighteen (18) years found guilty of a violation of this article shall be responsible for the payment of the fine imposed by a court of competent jurisdiction for such violation. In no event shall it be a defense that the parent or legal guardian has exercised due diligent supervision over the activities of the person under the age of eighteen (18) years.

D. The parent or legal guardian, other than a state or legal Social Services Department foster parent having custody, of any unemancipated person under the age of eighteen (18) found guilty of a violation of this article shall be responsible for restitution for any damage caused to real property or improvements located thereon owned and/or operated by the Village of Quogue. In no event shall it be a defense that the parent or legal guardian has exercised due diligent supervision over the activities of the person under the age of eighteen (18) years.

§70-19. Authority to Seize and Impound.

A. Any electric or motorized scooter or bicycle with electric assist operated by any person under sixteen (16) years of age may be subject to immediate seizure and impound by a duly sworn police officer, acting pursuant to his or her official duties, upon reasonable cause to believe that such operation is a violation of §70-15 of this article.

B. An electric or motorized scooter or bicycle with electric assist that is impounded shall be surrendered to the owner, or if the owner is a minor, to the parent or guardian of the minor. A full explanation of the reason for the impounding shall be made to the owner, parent, or guardian. A complete record of impounded electric or motorized scooters or bicycles with electric assist shall be kept by each law enforcement agency where the impounding occurred.

C. Any electric or motorized scooter or bicycle with electric assist seized under the authority of this article shall be stored for safekeeping by the Village of Quogue Police Department and may assess an administrative processing fee of \$50.00 and a storage fee of \$5.00 per day thereafter. Storage fees shall be assessed for days on which the electric or motorized scooter or bicycle with electric assist is being stored by the Village of Quogue Police Department, excluding the day on which the electric or motorized scooter or bicycle with electric assist was seized and the day it is re-claimed.

D. Proper claimants under this article are limited to:

- (1) An owner over sixteen (16) years of age; or
- (2) A parent or legal guardian of an owner who is under sixteen (16) years of age; or
- (3) A parent or legal guardian of a person under sixteen (16) years of age who is in possession of the electric or motorized scooter or bicycle with electric assist at the time of seizure; or
- (4) The Village of Quogue Police Department affecting a seizure under this article shall

notify the parent or legal guardian of the person in possession at the time of seizure. Such notification shall be by first-class mail. Should no valid claim be made for the seized electric scooter or bicycle with electric assist within ninety (90) days of seizure, ownership of the seized electric scooter or bicycle with electric assist shall vest in the Village of Quogue Police Department.

E. The Village of Quogue Police Department affecting seizures pursuant to this article may promulgate regulations regarding the storage, release and/or destruction of any electric or motorized scooter or bicycle with electric assist seized under this article.

SECTION 3. Authority. The proposed local law is enacted pursuant to Village Law §4-412, §§1238, 1242, 1281 & 1286 of the Vehicle and Traffic Law of the State of New York and Chapter 319 of the laws of the County of Suffolk, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), 10(2) and 10(4)(b).

SECTION 4. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.