

**HN 26-23**  
**LOCAL LAW #2 of 2026**  
**CITY OF HORNELL, NY**

**April 20, 2026**

**BY:**

**A LOCAL LAW REGULATING THE OPERATION OF ELECTRIC BICYCLES,  
ELECTRIC SCOOTERS, AND ELECTRIC SKATEBOARDS**

Be it enacted by the Common Council of the City of Hornell as follows:

Section 1. Legislative Findings and Purpose.

The Common Council of the City of Hornell hereby finds and determines that:

A. The increasing use of electric bicycles, electric scooters, and electric skateboards has resulted in unsafe and unlawful operation, including failure to obey traffic control devices, operation on sidewalks, excessive speeds in City parks, and dangerous interaction with pedestrians and motorists.

B. Such unsafe operation poses a risk to public health, safety, and welfare, particularly to pedestrians, park users, and motorists.

C. New York State Vehicle and Traffic Law authorizes municipalities to regulate micromobility devices to protect public safety.

D. Electric skateboards are not explicitly regulated by New York State law, and municipalities are authorized under the Municipal Home Rule Law to adopt reasonable local regulations governing their use.

E. Clear, uniform, and enforceable local standards governing the operation of electric bicycles, electric scooters, and electric skateboards are necessary to promote safe and responsible use, protect pedestrians, preserve the safe enjoyment of City parks and public spaces, and reduce preventable injuries and conflicts.

Section 2. Definitions.

For the purposes of this local law, the following terms shall have the meanings indicated:

A. Electric Bicycle (E-bike). As defined in New York State Vehicle and Traffic Law § 102-c, including Class 1 and Class 2 electric bicycles.

B. Electric Scooter (E-scooter). As defined in New York State Vehicle and Traffic Law § 114-e.

C. Electric Skateboard. A self-propelled device powered by an electric motor designed to transport one person in a standing position on a board with wheels and not otherwise defined as a motor vehicle under New York State law.

D. Motorized Micromobility Device. Any electric bicycle, electric scooter, or electric skateboard.

E. Sidewalk. The portion of a street intended for pedestrian use between the curb or roadway edge and the adjacent property line.

F. City Park or Path. Any park, trail, walkway, greenway, or recreational area owned or maintained by the City and intended primarily for pedestrian use.

G. Night Operation. Operation between sunset and sunrise or at any time when persons or vehicles are not clearly visible at a distance of 1,000 feet.

### Section 3. Applicability.

This local law shall apply to all persons operating motorized micromobility devices, including electric bicycles, electric scooters, and electric skateboards, within the corporate limits of the City of Hornell, except where expressly limited or preempted by New York State law.

This local law shall not restrict the official use of Class 3 electric bicycles by the Hornell Police Department or other authorized municipal agencies.

### Section 4. General Rules of Operation.

#### A. Compliance with Traffic Laws.

Operators shall obey all traffic control devices and applicable provisions of New York State law governing bicycles.

#### B. Permitted Roadways.

Electric bicycles and electric scooters may be operated only on public roadways with posted speed limits of thirty (30) miles per hour or less, unless otherwise prohibited.

#### C. Citywide Speed Limit.

No motorized micromobility device shall be operated at a speed exceeding twenty (20) miles per hour anywhere within the City of Hornell.

#### D. Sidewalk Operation Prohibited.

Operation of motorized micromobility devices on sidewalks is prohibited, except to enter or exit a driveway or where expressly authorized by posted signage.

#### E. City Parks and Paths.

(1) Motorized micromobility devices may be operated in City parks and on designated paths only where authorized by posted signage.

(2) Speed shall not exceed ten (10) miles per hour while operating in City parks or on designated paths.

(3) Operators shall yield the right-of-way to pedestrians at all times and shall slow to walking speed when passing pedestrians.

(4) Motorized micromobility devices shall not be operated on pedestrian-only areas, grassy fields, or other areas not specifically designated for micromobility use.

#### F. Unsafe or Reckless Operation Prohibited.

No motorized micromobility device shall be operated in a reckless or unsafe manner, including weaving through traffic, unsafe passing, excessive speed for conditions, or distracted or impaired operation.

#### G. Electric Skateboards and Class 3 Electric Bicycles.

(1) Electric skateboards shall be subject to all provisions of this local law relating to unsafe or reckless operation, sidewalk use, operation within City parks and paths, age restrictions, helmet requirements, lighting and visibility requirements, enforcement, and penalties.

(2) Nothing in this local law shall be construed to authorize the operation of electric skateboards or Class 3 electric bicycles on public roadways where such operation is otherwise prohibited by New York State law.

(3) Class 3 electric bicycles may be operated by the Hornell Police Department or other authorized municipal agencies for official purposes.

#### Section 5. Age, Passenger, and Helmet Requirements.

##### A. Minimum Age.

No person under the age of sixteen (16) years shall operate a motorized micromobility device.

##### B. Passengers.

Only one rider shall be permitted unless the device is manufacturer-designed for multiple riders.

##### C. Helmet Requirement.

(1) All operators shall wear a properly fitted helmet meeting Consumer Product Safety Commission (CPSC) standards.

(2) Helmet use is required on all roadways, parks, paths, and rights-of-way.

(3) A parent or legal guardian shall not knowingly permit a minor to violate this section.

(4) A violation of this subsection shall not constitute probable cause for a search or seizure.

#### Section 6. Lighting and Visibility Requirements.

##### A. Night Operation Requirements.

(1) A white front lamp visible from at least five hundred (500) feet.

(2) A red rear lamp or reflector visible from at least three hundred (300) feet.

##### B. Reflective Equipment.

Operators shall wear or display reflective material visible from the sides.

##### C. Condition.

All required lighting and reflective equipment shall be operational and unobstructed.

#### Section 7. Commercial Rental or Fleet Operations.

No person or entity shall operate a commercial rental or shared micromobility fleet within the City of Hornell without first obtaining authorization from the Common Council. The Common Council may establish conditions and requirements by resolution.

#### Section 8. Education and Signage.

The City of Hornell may install signage and distribute educational materials summarizing micromobility rules and safety requirements.

#### Section 9. Enforcement.

This local law shall be enforced by the Hornell Police Department and any other officers authorized to enforce local laws.

#### Section 10. Penalties.

##### A. General Violations.

- (1) First offense: fifty dollars (\$50) to one hundred dollars (\$100).
- (2) Second offense within twelve (12) months: one hundred dollars (\$100) to two hundred fifty dollars (\$250).
- (3) Third or subsequent offense: two hundred fifty dollars (\$250) to five hundred dollars (\$500) and/or imprisonment for up to fifteen (15) days.

##### B. Helmet or Lighting Violations.

- (1) First offense: warning or fine not to exceed fifty dollars (\$50).
- (2) Second offense: fifty dollars (\$50) to one hundred dollars (\$100).
- (3) Third or subsequent offense: one hundred dollars (\$100) to two hundred dollars (\$200).

##### C. Corrective Action.

Fines may be reduced or waived upon proof of compliance within fourteen (14) days of the violation.

##### D. Additional Remedies.

For repeated or reckless violations, the court may order device confiscation.

#### Section 11. Severability.

If any provision of this local law is adjudged invalid or unconstitutional, such judgment shall not affect or impair the validity of the remaining provisions.

#### Section 12. Effective Date.

This local law shall take effect immediately upon filing with the New York State Secretary of State in accordance with the Municipal Home Rule Law.

Carried –

Absent –