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JESSICA RAMOS
SENATOR, 13TH DISTRICT

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March 2, 2023

Commissioner Marie Therese Dominguez, Esq.
NYS Department of Transportation
50 Wolf Road
Albany, NY 12232

Commissioner Ydanis Rodriguez
NYC Department of Transportation
55 Water St.
New York, NY 10041

Dear Commissioner Dominguez and Commissioner Rodriguez,

As discussed with Commissioner Dominguez on January 31, 2023, we have received reports of e-bike and e-scooter riders not complying with the New York State Vehicle And Traffic Law (VAT) Chapter 71, Title 7 Articles 34 & 34-D. As a result, we are finding unsafe e-bike and e-scooter riding incidents, which has led to an increasing number of accidents involving pedestrians. Reported NYPD accident statistics show that 15 e-bike and e-scooter riders have been killed in NYC in the first 8 months of 2022 alone. However, it is difficult for a detailed yearly e-bike and e-scooter accident analysis to be made, given inadequate accident classifications in the NYPD statistics combined with the lack of available DOT 2022 Bicycle Crash Data report.

In 2019, the legislature brought much-needed surety to e-bike and e-scooter riders across New York, many of whom rely on this mode of transportation to earn a living. The legislation authorized municipalities to set standards and manage public education campaigns for safe e-bike riding. Yet, as we see ever-expanding e-bike and e-scooter use in New York, the number of injuries and fatalities involving pedestrians and riders continues to increase.

Supporting safe e-bike and e-scooter use whilst not unduly penalizing a section of the workforce is of paramount concern to our offices. These workers are typically insecure and low-paid jobs and would be disproportionately affected by any financially onerous e-bike or e-scooter registration or riding enforcement.

We cannot allow a narrative to build against a vital, green, and growing mode of transportation. Nor can we allow for the continuing demonization of already marginalized migrant communities who disproportionately use e-bikes and e-scooters and make up a large proponent of the 'deliverista' workforce. With the increase of migrants arriving in New York, the use of e-bikes and e-scooters by these communities will only increase. As will the need for new arrivals to be educated on safe riding to reduce the potential for accidents to occur.

Unless the DOT is proactive in properly educating e-bike and e-scooter riders on their safe use, we risk new legislation or local municipalities banning e-bike and e-scooter use completely on safety grounds. Were this to happen, it would be hugely detrimental to small businesses and the delivery workforce who rely on this mode of transport.

Additionally, the rise in the number of serious fires and deaths caused by faulty, deteriorating, and improperly stored e-bike batteries is of great concern to our offices. This year in Senate District 13 alone, one person has died, and 28 people have been injured, including 18 children, in two separate incidents involving e-bike lithium-ion batteries. In 2022 there were 216 lithium-ion battery-caused fires in New York City, resulting in 147 injuries and 6 deaths.

In response, Senator Liz Krueger introduced Senate bills [154A](#) and [157](#). This legislation will ban the manufacturing, sale, and distribution of all lithium-ion batteries and chargers that do not meet minimum industry safety standards and prohibit the sale of second-use lithium-ion batteries for e-bikes and e-scooters that have been assembled or reconditioned using cells removed from used batteries. Should this legislation be passed, we expect support from NYC and NYS DOT on its implementation surrounding educating riders on the correct usage of lithium-ion batteries within an e-bike and e-scooter safety campaign.

We thank Commissioner Dominguez for taking action since our meeting and requesting that the New York State Governor's Traffic Safety Committee (GTSC) focus on this issue.

In addition, we urge both offices to take the necessary steps toward meeting the provisions outlined in New York State Transportation Law (TRA), CHAPTER 61-A, Article 2, Sections 10 & 14b and NYC Local Law 13 of 2011. We are hoping for a response from your departments that outlines:

1. The steps being taken to conduct a holistic e-bike and e-scooter safety campaign addressing both safe riding and safe battery storage;
2. The outreach work being done to inform local municipalities of their responsibilities as it relates to safe e-bike and e-scooter use;
3. When the latest 2022 NYC DOT bicycle crash data will be released and when an improved statistics publishing system will be implemented to ensure the timely online publication of such data;
4. The consequences of failing to comply with NYS TRA; and
5. An update on the timeline regarding GTSC and the plan for the inclusion of the necessary workforce in the conversation.

We appreciate your prompt attention on this matter, please feel free to reach out with any questions or for more information.

Sincerely,

A handwritten signature in black ink that reads "Jessica Ramos". The signature is written in a cursive, flowing style.

Jessica Ramos, New York State Senator, D-13



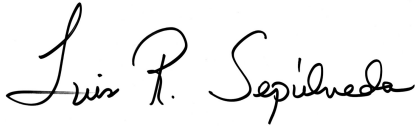
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New York State Senator, D-22



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New York State Senator, D-25



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Senator Julia Salazar
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New York State Senator, D-17



Senator Liz Krueger
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