

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2017**

No. 28

Introduced by Council Members Cohen, Constantinides, Levine, Vacca, Espinal, Maisel, Garodnick, Mealy, Greenfield, Reynoso, King, Torres, Levin, Kallos, Koo, Lancman, Rosenthal, Treyger, Vallone, Palma, Johnson, Cabrera, Dromm, Mendez, Rose, Koslowitz, Menchaca, Van Bramer, Crowley, Ferreras-Copeland, Rodriguez, Richards, Chin, Gentile, Salamanca, Ulrich and Borelli.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the use of all-terrain vehicles, including dirt bikes

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-196 to read as follows:

§ 19-196 All-terrain vehicles, including dirt bikes.

a. Definitions. For the purposes of this section, the following terms have the following meanings:

All-terrain vehicle. The term “all-terrain vehicle” has the same meaning as set forth in subdivision 1 of section 2281 of the vehicle and traffic law, which includes dirt bikes, or any successor provision.

Operate. The term “operate” means to ride in or on, other than as a passenger, or use or control the operation of an all-terrain vehicle in any manner.

Person. The term “person” means an individual and does not include officers or employees of any governmental agency acting in an official capacity, or private individuals or entities acting pursuant to agreements with governmental agencies.

b. No person shall operate an all-terrain vehicle in the city of New York, except that, in the case of property other than a street or a park, an all-terrain vehicle may be operated only with the consent, written or conspicuously posted consistent with applicable law, of the owner or lessee, or operated by an individual owner or lessee.

c. The violation of subdivision b of this section constitutes a violation punishable by a fine not to exceed 500 dollars for the first offense and not to exceed 1,000 dollars for any subsequent offense.

d. A person who violates subdivision b of this section shall be liable for a civil penalty of 500 dollars. A person committing a second or subsequent violation of subdivision b of this section shall be liable for a civil penalty of 1,000 dollars. Civil penalties pursuant to this subdivision are recoverable in a proceeding before the office of administrative trials and hearings pursuant to chapter 45-A of the charter, or in a civil action or proceeding brought in the name of the city.

e. Any act prohibited by this section additionally constitutes a traffic infraction punishable by a fine not to exceed 500 dollars for the first conviction, and not to exceed 1,000 dollars for any subsequent conviction.

§ 2. This local law takes effect 30 days after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on February 15, 2017 and returned unsigned by the Mayor on March 20, 2017.

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 28 of 2017, Council Int. No. 834-B of 2015) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.