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To: Commissioner Ydanis Rodriguez, New York City Department of Transportation  
From: State Senator Jessica Ramos, Chair of the Senate Labor Committee  
RE: NYC DOT Pedal-Assist Cargo Bikes Proposal  
Date: 13 September, 2023

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My name is Jessica Ramos, I represent the Queens neighborhoods of Corona, East Elmhurst, Jackson Heights, and parts of Elmhurst and Rego Park in the New York State Senate. I proudly represent the most diverse district in the state, full constituents who work to provide essential services in all five boroughs of New York City.

In 2019, the legislature brought much-needed surety to e-bike riders across New York, driven by the widespread use of this mode of transport by immigrant workers, like deliveristas. This legislation authorized three classes of e-bikes in New York, encouraging access to a zero-emission, sustainable, and affordable option for riders.

Looking toward further expansion, I introduced a bill (S1975) to create a fourth class of e-bikes known as “cargo bikes.” These cargo bikes would be up to 48 inches wide, allowing for increased cargo-carrying capacity, and could operate at up to 12 miles per hour. As the sponsor of this legislation, I strongly support the spirit of the New York City Department of Transportation's push for policies that promote the adoption of cargo bikes, reduce congestion, and achieve our climate goals for sustainable mobility.

Concerns have been raised as to the ability of the NYCDOT to expand the definition of cargo bikes without State legislation. Currently, under Vehicle and Traffic Law, a mode of transportation with a motor is presumed to be a motor vehicle unless the State Legislature has carved out an exemption. The exemption for e-bikes in the Vehicle and Traffic Law is limited to 2 or 3-wheeled bikes that are 36 inches wide. As cited in the proposal, under section 1642 of the Vehicle and Traffic Law, the City DOT would be authorized to adopt rules with respect to the regulation of devices moved by human power; however, historically, those rules have not expanded beyond the exemption created by the State Legislature.

Despite those concerns, I am motivated to collaborate to implement an effective change in statute and regulatory standing for this area of law.

While this proposed rule takes a step in the right direction to expand the use of cargo bikes in place of delivery trucks, ensuring New York City has the infrastructure to support a new influx of

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larger bikes and rider safety must be of the utmost priority. Under the current City proposal, the new larger cargo bikes will operate at up to 20 miles per hour. Pending the unresolved question of the City's ability to undertake this rule-making process, I urge the City to model their regulations after S1975 and cap operating speed at 12 miles per hour to encourage safe ridership with the increased size and loads of the proposed cargo bikes. Ensuring proper usage, regulation, and public education around e-bikes and avoiding demonization of an already marginalized immigrant workforce who disproportionately use e-bikes and e-scooters should be a priority of any proposal.

I have continued to reintroduce the cargo bike legislation (S1975) each year, paired with the assembly bill (A3874) sponsored by Assemblymember Chantel Jackson, and look forward to ongoing collaboration with the NYCDOT in our efforts towards our shared goals of improved traffic safety, decongested streets, and cleaner air.

Sincerely,



State Senator Jessica Ramos  
SD 13