

Susan Kent, *Chair*  
Valerie De La Rosa, *First Vice Chair*  
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Antony Wong, *Treasurer*  
Amy Brenna, *Secretary*  
Brian Pape, *Assistant Secretary*  
Mark Diller, *District Manager*

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899  
[www.manhattancb2.org](http://www.manhattancb2.org)

P: 212-979-2272 F: 212-254-5102 E: [info@manhattancb2.org](mailto:info@manhattancb2.org)  
Greenwich Village ♦ Little Italy ♦ SoHo ♦ NoHo ♦ Hudson Square ♦ Chinatown ♦ Gansevoort Market

November 22, 2023

Hon. Andrea Stewart-Cousins  
NY State Senate Majority Leader  
Legislative Office Building  
188 State Street, Room 907  
Albany, NY 12247

Dear Senate Majority Leader Stewart-Cousins:

At its Full Board meeting on November 16, 2023, Community Board #2, adopted the following resolution:

**1. Resolution in support of NY State Senate Bill S.7587, requiring registration and licensure of e-bikes used for commercial purposes and holding delivery platforms responsible for any violations, with further recommendations.**

**Whereas** in recent years e-bike use has proliferated, especially by commercial delivery workers hired as independent contractors by third-party delivery platforms (App-based food ordering/delivery systems, e.g. DoorDash; Uber Eats); and

**Whereas** the third-party delivery platforms have strict requirements for how many deliveries these workers should accomplish in a certain amount of time and favor those who can make large numbers of deliveries in a short time and who are willing to travel further distances, e.g. 10 miles or more; and

**Whereas** these requirements pressure the delivery workers to travel at high speeds to make faster and increased pickups and deliveries, disregarding traffic safety rules and taking hazardous riding risks that endanger and frequently harm all those using the street, particularly pedestrians, as well as themselves, other e- and non e-bike riders and other vehicles; and

**Whereas** constituents increasingly report unsafe conditions caused by the delivery e-bike workers riding on sidewalks, going the wrong way on the street and running red lights, with pedestrians being in a constant state of anxiety and fear of being hit as more collisions between pedestrians and these e-bikes have taken place; and

**Whereas** NY State Senate Bill S.7587 addresses both the need to easily identify delivery e-bikes that create and are involved in situations that endanger pedestrians and compromise street safety by

ignoring traffic rules and the need to assign accountability to those ultimately responsible for incentivizing the delivery e-bike workers to drive unsafely, i.e., the third-party delivery platforms, by:

- Requiring e-bikes used for commercial purposes to be registered with and issued a license (plate) by the appropriate NY State government agency. Registration would be by and in the name of the individual driver (owner of the e-bike), i.e., the delivery worker.
- Stipulating that the third-party delivery platforms (as well as business/restaurant owners) pay the fines for violations that a delivery worker incurs while working for them, whether the rider is an employee or independent contractor.; and

**Whereas** in reaching out to the delivery e-bike workers, it was found that although they understand that the third-party delivery platforms can't pass on costs to them, they worry about unintended consequences. For example, if they aren't able to deliver as much in a certain amount of time as before, their income could be reduced or even their jobs. Their expenses could increase with licensing fees and necessary upgrades to their equipment, for which they are totally financially responsible both for purchase and upkeep. Amendments are needed to address such concerns, and it has been indicated that work is progressing in this area; and

**Whereas** camera enforcement is increasing in use and proving to be effective in capturing hazardous traffic violations, and highly visible license plates displaying needed identification can facilitate camera capture (and enforcement) of delivery e-bike violations; and

**Whereas** a substantial number of delivery workers, notably recent immigrants, rely on the e-delivery economy as their main livelihood to sustain themselves and their families, frequently facing challenges due to inadequate legal documentation for employment that potentially dissuades them from registering or licensing their e-bikes, resulting in their preference for riding under someone else's registration; and steps need to be taken to safeguard their interests; and

**Whereas** considering the variance in cost between an eBike and a motor vehicle, a proportional reduction in fees for e-bikes registration and licensing would be appropriate, e.g. through a sliding scale structure; and

**Whereas** delivery e-bike workers are not always familiar with traffic regulations or have language barriers, requiring accessible education to acquaint them with the rules of the road;

**Therefore be it resolved** that Community Board No. 2 Manhattan (CB2) supports NY State Senate Bill S.7587 as a first step to establishing street safety and effective regulation for new mobility modes, in this case to protect pedestrians and other street users from the danger posed by errant e-bike delivery riders; and

**Be it further resolved** that CB2 recognizes that further work is being done to fine tune the bill to increase its effectiveness and encourages development of procedures to safeguard e-bike delivery jobs and render costs that are affordable in complying with the new safety measures, such as promoting affordable registration fees that are in line with the cost of the average e-bike; and

**Be it further resolved** that CB2 strongly supports having a requirement incorporated along with those for registration and licensing for e-bike delivery workers to attend classes on the rules of the road and to provide for these classes not only in English but in other languages predominantly used by the e-bike delivery workers; and

**Be it finally resolved** that CB2 urges that quick attention be given to completing whatever amendments are considered necessary for strengthening this bill and to moving it to be heard as soon as possible and quickly passed into law.

**Vote:** Passed, with 28 Board members in favor.

with 7 Against (C. Dignes, J. Horky, R. Kessler, M. Metzger, Z. Roberts, R. Sanz, E. Smith)

with 2 Abstain (C. Booth, V. De La Rosa)

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Susan Kent, Chair  
Community Board #2, Manhattan



Shirley Secunda, Chair  
Traffic & Transportation Committee  
Community Board #2, Manhattan

SK/em

cc: Hon. Dan Goldman, NYS Congressman  
Hon. Brad Hoylman, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
Hon. Timothy Kennedy, NY State Senator  
Hon. Deborah Glick, NYS Assembly Member  
Hon. Grace Lee, NYS Assembly Member  
Hon. Tony Simone, NYS Assembly Member  
Hon. Linda Rosenthal, NYS Assembly Member  
Hon. William B. Magnarelli, NYS Assembly Member  
Hon. Mark J.F. Schroeder, Commissioner NY State Dept. of Motor Vehicles  
Hon. Mark Levine, Manhattan Borough President  
Hon. Erik Bottcher, Council Member  
Hon. Christopher Marte, NYC Council Member  
Hon. Carlina Rivera, NYC Council Member

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NY State Senate Majority Leader  
Legislative Office Building  
188 State Street, Room 907  
Albany, NY 12247

Dear Senate Majority Leader Stewart-Cousins:

At its Full Board meeting on November 16, 2023, Community Board #2, adopted the following resolution:

### **2. Resolution in support of NY State Senate Bill S.6760 requiring minimum insurance thresholds for third party food delivery services.**

**Whereas** as the incidence of delivery e-bike workers hired as independent contractors by third party delivery platforms (App-based food ordering/delivery systems, e.g. DoorDash; Uber Eats) continues to increase, more and more collisions have been occurring between these delivery workers on their e-bikes and pedestrians or other road users, leading to pedestrian and other road user injuries, often severe, and even to fatalities; and

**Whereas** these pedestrian (and other road user)/e-bike delivery worker conflicts are very often the result of reckless driving on e-bikes (and sometimes e-scooters) by the delivery workers rushing to make as many deliveries as possible as quickly as possible to fulfill the demands of the third-party delivery services who have contracted with them and are looking to fulfill as many orders as they can to build business and profits; and

**Whereas** because the delivery e-bike workers, being independent contractors, are not covered by the third party delivery services for liability insurance during their work for them, there is no protection to cover compensation for the injuries of a pedestrian or other road user struck by the delivery e-bike and its rider or for their costs of medical care; and

**Whereas** NY State Senate Bill S.6760 requires third-party food delivery services to provide liability insurance to delivery e-bike workers while they are working for these services, i.e., while logged into the delivery platform, whether or not delivering food; and

**Whereas** e-bike delivery workers could also fulfill the requirement for being insured for liability by purchasing their own liability insurance, but most of these workers cannot afford to do this, and ultimately the third-party delivery service would be liable and responsible for the coverage; and

**Whereas** the compensation made available by the liability insurance required by NY State Senate Bill S.6760 would provide care for those delivery e-bike collision victims for their injuries, pain and suffering; and

**Whereas** the provisions of NY State Senate Bill S.6760 follow those required by NY State law for coverage by transportation network companies of For Hire Vehicles, which do not allow for the transportation network companies to pass on their cost; and

**Whereas** S.6760 will ensure that third-party delivery services take responsibility for and are directly invested in the safe conduct of their e-bike delivery people, thereby advancing safety on the street;

**Therefore be it resolved** that Community Board No. 2 Manhattan (CB2) supports NY State Senate Bill S.6760 and urges that it be reviewed as quickly as possible and swiftly passed to become law.

**Vote:** Passed, with 31 Board members in favor.

with 5 Against (C. Dignes, J. Horky, R. Kessler, M. Metzger, R. Sanz)

with 2 Abstain (C. Booth and V. De La Rosa)

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Susan Kent, Chair  
Community Board #2, Manhattan



Shirley Secunda, Chair  
Traffic & Transportation Committee  
Community Board #2, Manhattan

SK/em

cc: Hon. Dan Goldman, NYS Congressman  
Hon. Brad Hoylman, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
Hon. Kevin Thomas, NY State Senator  
Hon. Deborah Glick, NYS Assembly Member  
Hon. Grace Lee, NYS Assembly Member  
Hon. Linda Rosenthal, NYS Assembly Member  
Hon. David I. Weprin, NYS Assembly Member  
Hon. Mark Levine, Manhattan Borough President  
Hon. Erik Bottcher, Council Member  
Hon. Christopher Marte, NYC Council Member  
Hon. Carlina Rivera, NYC Council Member

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Legislative Office Building  
188 State Street, Room 907  
Albany, NY 12247

Dear Senate Majority Leader Stewart-Cousins:

At its Full Board meeting on November 16, 2023, Community Board #2, adopted the following resolution:

### **3. Resolution in support of NY State Senate Bill S. 561 increasing the penalties for hit-and-runs perpetrated by users of e-bikes and scooters.**

**Whereas** it has become increasingly common for e-scooter and e-bike drivers to hit and seriously injure pedestrians and then flee the scene without reporting; and

**Whereas** there are strict penalties for automobile drivers who leave the scene of a hit-and-run, yet drivers of e-bikes and e-scooters, which are motorized and can cause severe injuries hitting and knocking down pedestrians (and even death, as was the case recently when an e-bike driver hit a woman in Chinatown and left the scene), yet penalties for their hit-and-run infractions are next to nothing; and

**Whereas** NY State Senate Bill S. 561 increases the penalties for users of e-bikes and e-scooters who leave the scene of hit-and-runs where they've struck pedestrians without reporting, so that the e-bike and e-scooter penalties match those for leaving the scene of automobile crashes; and

**Whereas** current penalties for leaving the scene of an automobile crash are based on the seriousness of the injury inflicted on the victim, an injury that would have the same basis if caused by an e-bike or e-scooter, thus the e-bike and e-scooter drivers should be held to the same standard of responsibility and accountability as the automobile driver; and

**Whereas** applying significant penalties to the drivers of e-bikes and e-scooters for leaving the scenes of their hit-and-runs, matching those for leaving a car crash, can act as a deterrent to leaving this (what is in essence) scene of the crime;

**Therefore be it resolved** that Community Board No. 2 Manhattan (CB2) supports NY State Senate Bill S.561 and urges that it speedily be calendared for hearings and a vote to approve it as a law.

**Vote:** Passed, with 33 Board members in favor.  
with 3 Against (C. Dignes, R. Kessler, E. Smith)  
with 1 Abstain (V. De Le Rosa)

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Susan Kent, Chair  
Community Board #2, Manhattan



Shirley Secunda, Chair  
Traffic & Transportation Committee  
Community Board #2, Manhattan

SK/em

cc: Hon. Dan Goldman, NYS Congressman  
Hon. Brad Hoylman, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
Hon. Timothy Kennedy, NY State Senator  
Hon. Deborah Glick, NYS Assembly Member  
Hon. Grace Lee, NYS Assembly Member  
Hon. Tony Simone, NYS Assembly Member  
Hon. Linda Rosenthal, NYS Assembly Member  
Hon. William B. Magnarelli, NYS Assembly Member  
Hon. Mark J.F. Schroeder, Commissioner NY State Dept. of Motor Vehicles  
Hon. Mark Levine, Manhattan Borough President  
Hon. Erik Bottcher, Council Member  
Hon. Christopher Marte, NYC Council Member  
Hon. Carlina Rivera, NYC Council Member

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Dear Senate Majority Leader Stewart-Cousins:

At its Full Board meeting on November 16, 2023, Community Board #2, adopted the following resolution:

#### **4. Resolution in support of NY State Senate Bill S. 7703 in concept with suggestions for modifications.**

**Whereas** mopeds (that are legally referred to as limited use motorcycles) have increased in use in NYC, with a great many of them now being used by delivery workers who formerly used e-bikes, because mopeds are heavier, can go much faster and travel further distances, allowing the delivery people to fit in more deliveries in a shorter time than on e-bikes, as desired by the third-party delivery services with whom they have contracts; and

**Whereas** in order to operate in NYC, mopeds (as opposed to e-bikes) are required to be registered and licensed, but many of them are not registered and don't have a license plate, whether because the moped buyers are not aware of this requirement or choose to ignore it, in any case, eliminating the means to identify moped users who are non-compliant with the vehicle and traffic law, who compromise the safety of all those on the street, and who avoid accountability for harming pedestrians and other street users; and

**Whereas** The NYC Police Department has been confiscating thousands of unlicensed mopeds, however, a more far-reaching approach is needed to nail down the numerous other unlicensed mopeds that pervade the city's streets and threaten people's safety; and

**Whereas** NY State Senate Bill S.7703 would require that moped registration be done at the point of sale, i.e., at dealerships (where the majority of mopeds are purchased) where the dealer would be responsible for both informing the moped buyer of this requirement and registering the moped before it can be purchased and claimed, compelling registration right on the spot; and



**Whereas** a great many of these moped dealerships are exceptionally small, often just storefronts that sell 15 or 20 to no more than 40 mopeds a year, and they would be hard pressed to handle the considerable costs entailed in becoming and acting as agents for registering mopeds, not to mention adding these costs to typically low-priced mopeds when the aim is to promote sales and encourage prospective buyers to comply with the law, which only can be accomplished if the cost is reasonable; and

**Whereas** there are other avenues that are possible for registering a moped without incurring prohibitive costs while the moped is not released for ownership and use until the registration is accomplished, e.g., the buyer could register with the Dept. of Motor Vehicles (DMV) prior to completing purchase and submit proof of registration to the dealer, or a third party can be used, such as the special services that bring required documentation to the DMV and obtain the needed license plates, which usually are available at a reasonable cost;

**Therefore be it resolved** that Community Board No. 2 Manhattan (CB2) supports the concept put forth by NY State Senate Bill S.7703 that in order to acquire and operate a moped, proof of registration and a license is needed at the point of purchase; and

**Be it further resolved** that CB2 recommends that provisions be developed requiring that the buyer show proof to the moped dealer that the moped is registered (giving options to accomplish such registration, e.g., by the buyer registering in person at the DMZ or by using a third party to register) before the dealer can release a purchased moped to the buyer; and

**Be it further resolved** that CB2 encourages promoting affordable registration fees that are in line with the cost of the average moped; and

**Be it finally resolved** that CB2 looks forward to the further development of requirements in S.7703 for ensuring that mopeds are registered and licensed and to its becoming law as soon as possible.

**Vote:** Passed, with 35 Board members in favor.  
with 1 Against (E. Smith)  
with 1 Abstain (V. De Le Rosa)

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Susan Kent, Chair  
Community Board #2, Manhattan



Shirley Secunda, Chair  
Traffic & Transportation Committee  
Community Board #2, Manhattan

SK/em

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