

VEHICLE AND TRAFFIC SAFETY LAWS

Motorized Scooters whether battery or gas powered are considered Motor Vehicles in New York State. As such they must be operated in conformance with certain sections of the Vehicle & Traffic laws. Motor Vehicles are defined in section 125 of the Vehicle and Traffic laws. As such motor vehicles must be registered as section 401 in the Vehicle and Traffic laws. Motor Vehicles also must be inspected and insured and must follow applicable laws. Certain Town Ordinances also apply to the operation of scooters on public and private lands. See below for Niskayuna Town Ordinance's regarding these vehicles.

Motorized Scooters, Mini-Bikes, Dirt Bikes, Go-Karts, Motor Assisted Bicycles

You cannot register any of the motorized devices from the list below in NYS. You cannot operate these devices on sidewalks, public streets or highways in NYS. These devices are motor vehicles, but they do not have the correct equipment or design for operation on roadways.

Motorized Scooter - a device with a motor attached and a handlebar for a standing rider. An example of a motorized scooter is the device called the Go-ped®.

Mini-Bike - a small, motorized device with two wheels and created for off-road use. A mini-bike does not qualify as a moped, a motorcycle or an ATV.

Dirt Bike - a motorized device like a motorcycle, but created for and used for off-road use. Some "dirt bikes" qualify as an ATV. These vehicles can register and operate off-road as an ATV.

Go-Kart - a small, motorized device with four wheels, created for off-road use. You cannot register a go-kart as a motor vehicle or ATV because a go-kart does not have the same equipment.

Motor-Assisted Bicycle - a bicycle to which a small motor is attached. A motor-assisted bicycle does not qualify for a registration as a motorcycle, moped or ATV and does not have the same equipment.

These devices are not allowed on any street, highway, parking lot, sidewalk or other area that allows public motor vehicle traffic. You are subject to arrest if you operate one of these motorized vehicles and do not have a registration, driver license, inspection, insurance or correct equipment. The DMV can not provide any information about operation of these devices on private property. Contact the local authorities and property owners.

Niskayuna Town Code Regarding Recreational Vehicles

207-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MINIBIKE - A motorized vehicle with two (2), three (3) or four (4) wheels propelled by one (1) or more motors with a seat or saddle for the operator. This definition shall include but not be limited to motorized bicycles, motorized scooters, go-carts, gas buggies, land cats, land rovers, dirt bikes, dune buggies, trail bikes and all-terrain vehicles.

MOTORCYCLE - Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor (as defined by * 123 of the Vehicle and Traffic Law).

PUBLIC PLACE - Any area, including streets, roadways and pedestrian walkways and any public recreation areas in the Town of Niskayuna.

SNOWMOBILE - A self-propelled vehicle designed for travel on snow or ice, steered by skis or runners and supported in whole or in part by one (1) or more skis, belts or cleats [as defined by * 21.05(3) of the Parks and Recreation Law].

207-2. Purpose.

The purpose of this chapter is to protect the public health, welfare, safety, peace and tranquility by regulating the operation of motorcycles, minibikes, and snowmobiles within the Town of Niskayuna. It is also the purpose of this chapter to prevent those individuals who wish to use and operate motorcycles, minibikes and snowmobiles within the Town of Niskayuna from trespassing on public or private property, from annoying inhabitants and from creating a public nuisance.

207-3. Operation in public places.

It shall be unlawful for any person to operate a minibike, motorcycle or snowmobile in or upon any public place, except that duly registered motorcycles may be operated in accordance with law in or upon any public street, road or highway other than a walkway situated within a public place and snowmobiles may be operated by authorized agencies or during emergencies as defined by the Parks and Recreation Law.

207-4. Operation on private property.

A. It shall be unlawful for any person to drive or operate any motorcycle, minibike or snowmobile on private lands of another person within the Town of Niskayuna without the express written permission of the owners or occupants of said property. Any such written permission must be in the possession of the persons operating the motorcycle, minibike or snowmobile and must be presented upon demand to any police officer so demanding.

B. It shall be unlawful for any person to drive or operate any motorcycle, minibike or snowmobile on private land with or without written permission within two hundred (200) feet of any dwelling other than the dwelling of the operator or person giving permission to allow operation on his land.

207-5. Penalties for offenses.

A failure to comply with the provisions of this chapter shall be deemed a misdemeanor, and the violator shall be subject to a fine not exceeding two hundred fifty dollars (\$250.) or imprisonment not exceeding fifteen (15) days.

207-6. Enforcement.

The Town of Niskayuna Police Department or any other peace or police officer shall enforce the provisions of this chapter.