



**STATE OF NEW YORK
DEPARTMENT OF MOTOR VEHICLES**

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Director, Legal Bureau

January 12, 2007

Mr. George Bliss
N.Y.C. Pedicab Owners Association.
73 Morton Street
New York, N.Y. 10014

Dear Mr. Bliss:

I am writing in reference to the opinion expressed in my letter dated December 8, 2006 regarding the legal status of pedicabs or bicycle taxis.

Under Vehicle and Traffic Law §125, electric-assisted or motorized bicycles are motor vehicles. These motor vehicles, because they lack certain mandatory equipment and safety features, may not be registered, and therefore are prohibited from operating on the public highways of this State.

The definition of a "vehicle," as set forth in VTL §159 does not include a bicycle, since a bicycle is a device moved by human power. Bicycles, as defined in VTL § 102, are thus neither vehicles nor motor vehicles, and there is no registration requirement applicable to them. However, as stated, a bicycle equipped with a motor or electric assist device is a motor vehicle, but may not be registered to operate on our public highways. It is irrelevant whether the motor was included in the original manufacture of the bicycle or was later added. The motor transforms the bicycle into a motor vehicle.

This letter is intended to supercede my 12/8/06 letter, and I very much regret any confusion and inconvenience resulting from the previous letter and this correction.

Sincerely,

Dinah M. Crossway

Dinah M. Crossway
Assistant Counsel

DMC/cs