

SUPERSEDE sounds like something potentially worrisome out of Monsanto, but is actually a legal process whereby State Governments are directed to follow Federal law in some matter. This mechanism was engineered by the oil and auto industries to keep California, or any other State ultimately, from enacting pollution standards which exceeded those favored by those same interests. This immediately became the "Law of the Land" and States were compelled to obey.

Federal law HR 727, which defines electric-assist bicycles as bikes, not motor vehicles, and assigns its regulation to the Consumer Products Safety Commission, specifically requires that they not be subjected to local, State motor vehicle regulation procedures. They are to be limited to a 1 HP motor and go no faster than 20 MPH. The language includes the phrase that this law SUPERSEDES local laws.

If this is the case, why does NYS have to go through a legislative process to legalize these machines on our roads? Why doesn't the process of SUPERSEDING cover this environmentally-positive advance as much as it covers the prevention of tighter pollution standards? There seems to be a misalignment or dislocation here and I am looking for a sensible explanation of this.