

ASSEMBLY, No. 5585

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 8, 2023

Sponsored by:

Assemblyman JOHN CATALANO
District 10 (Ocean)

Co-Sponsored by:

Assemblyman Rooney

SYNOPSIS

Directs MVC to establish public information campaign concerning certain motorized vehicles; establishes 15-mile-per-hour speed limit for certain motorized vehicles.

CURRENT VERSION OF TEXT

As introduced.



A5585 CATALANO

2

1 AN ACT concerning certain motorized vehicles, supplementing Title
2 39 of the Revised Statutes, and amending P.L.1975, c.250 and
3 P.L.2019, c.121.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) The New Jersey Motor Vehicle Commission
9 shall develop and implement a public information campaign
10 concerning low-speed electric bicycles, low-speed electric scooters,
11 motorized bicycles, and motorized scooters. The public information
12 campaign shall alert the public to the authorized operation of these
13 vehicles and the dangers to pedestrians and other vehicles
14 interacting with these vehicles, and shall notify any person
15 operating one of these vehicles of the person's responsibility
16 concerning the safety of others.

17
18 2. Section 2 of P.L.1975, c.250 (C.39:4-14.3) is amended to read
19 as follows:

20 2. a. Motorized bicycles shall not be operated upon interstate
21 highways or upon public highways divided by a grass or concrete
22 median or highways with posted speed limits in excess of 50 miles
23 per hour or upon the railroad or right-of-way of an operating
24 railroad within the State of New Jersey, or upon any public land
25 where expressly prohibited by the governing body, department or
26 agency having jurisdiction thereof.

27 The commissioner is authorized to adopt regulations either
28 prohibiting the operation of motorized bicycles on any public road
29 or highway with a speed limit in excess of 40 miles per hour, which
30 in his discretion are hazardous for the operation of motorized
31 bicycles or permitting the operation of motorized bicycles on any
32 public road or highway, upon which the operation of motorized
33 bicycles is otherwise prohibited by the provisions of this section,
34 which in his discretion are safe for the operation of motorized
35 bicycles. In no case, however, shall the commissioner adopt a
36 regulation permitting motorized bicycles to be operated on any
37 highway with a posted speed in excess of 50 miles per hour.

38 A person shall not operate a motorized bicycle at a speed greater
39 than 15 miles per hour on any highway, roadway, or street in the
40 State.

41 b. No municipality shall limit or otherwise restrict the
42 operation of motorized bicycles on any public roads or highways
43 under its jurisdiction in contravention of the provisions of **[this act]**
44 P.L.1975, c.250 or any regulations adopted by the director pursuant
45 thereto.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 c. Motorized bicycles shall not be operated by a person under
2 15 years of age.

3 d. No person shall operate a motorized bicycle unless he is in
4 possession of a valid driver's license of any class or a motorized
5 bicycle license, which shall be issued by the commission to any
6 person 15 years of age or older, upon proof of identity and date of
7 birth, and after he has passed a satisfactory examination as to his
8 ability as an operator. Such examination shall include a test of the
9 applicant's knowledge of such portions of the mechanism of
10 motorized bicycles as is necessary to insure their safe operation and
11 of the laws and ordinary usages of the road and a demonstration of
12 his ability to operate a motorized bicycle.

13 The demonstration of an applicant's ability to operate a
14 motorized bicycle shall be administered at such municipalities that
15 the commission shall designate, under the supervision of the
16 commission, or an officer, employee, or authorized agent of the
17 commission, in accordance with rules and regulations promulgated
18 by the commission.

19 The administrator may, in his discretion, issue a learner's permit
20 to a person 15 years of age or older, upon proof of identity and date
21 of birth, allowing such person, for the purpose of fitting himself to
22 become a motorized bicycle driver, to operate a motorized bicycle
23 during daylight hours without supervision for a period not to exceed
24 45 days. The permit shall be sufficient license for the person to
25 operate a motorized bicycle. No permit shall be issued unless the
26 person applying therefor shall pay the sum of \$5.00 to the
27 commission, or an officer, employee or agent of the commission.

28 e. The valid driver's license, the insurance identification card,
29 and the registration certificate shall be in the possession of the
30 operator at all times when he is operating a motorized bicycle with
31 motor engaged on the highways of this State. The operator shall
32 exhibit his driver's license when requested to do so by any police
33 officer or magistrate, while in the performance of the duties of his
34 office and shall write his name in the presence of the officer, so that
35 the officer may thereby determine the identity of the licensee and at
36 the same time determine the correctness of the registration
37 certificate, as it relates to the registration number and number plates
38 of the motorized bicycle for which it was issued and the correctness
39 of the evidence of a policy of insurance, as it relates to the coverage
40 of the motorized bicycle for which it was issued. Any person
41 violating this subsection shall be subject to a fine not exceeding
42 \$50.00.

43 If a person charged with a violation of this subsection can exhibit
44 his valid driver's license, insurance identification card, and
45 registration certificate, which were valid on the day he was charged,
46 to the judge of the municipal court before whom he is summoned to
47 answer to the charge, the judge may dismiss the charge; however,
48 the judge may impose court costs.

1 f. Unless otherwise determined by the commissioner, statutes,
2 rules and regulations applicable to bicycles shall apply whenever a
3 motorized bicycle is operated upon any highway or upon any public
4 land.

5 Every person operating a motorized bicycle upon a public road
6 or highway shall be subject to all of the duties applicable to the
7 driver of a vehicle by chapter 4 of Title 39 and N.J.S.2C:11-5 and
8 all amendments and supplements thereto.

9 (cf: P.L.2003, c.13, s.49)

10

11 3. Section 2 of P.L.2019, c.121 (C.39:4-14.16) is amended to
12 read as follows:

13 2. a. A low-speed electric bicycle or low-speed electric scooter,
14 as defined in R.S.39:1-1, may be operated on the streets, highways,
15 roadways, and bicycle paths of this State, except as otherwise
16 provided in this section, **[and]** provided that the low-speed electric
17 bicycle or low-speed electric scooter is not operated at a speed
18 greater than 15 miles per hour. The low-speed electric bicycle or
19 low-speed electric scooter may be parked on a sidewalk provided
20 that the low-speed electric bicycle or low-speed electric scooter
21 does not impede the normal movement of pedestrian or other traffic
22 upon the sidewalk.

23 b. On and after January 1, 2019, manufacturers and distributors
24 of low-speed electric bicycles shall apply a label that is permanently
25 affixed, in a prominent location, to each low-speed electric bicycle.
26 The label shall contain the classification number, top assisted speed,
27 and motor wattage of the low-speed electric bicycle, and shall be
28 printed in Arial font in at least 9-point type.

29 c. A person shall not tamper with or modify a low-speed
30 electric bicycle so as to change the motor-powered speed capability
31 or engagement of a low-speed electric bicycle, unless that person
32 appropriately replaces the label indicating the classification
33 required in subsection b. of this section.

34 d. A low-speed electric bicycle or low-speed electric scooter
35 may be operated on bicycle paths, except that a local government
36 entity or State agency may prohibit the operation of low-speed
37 electric bicycles or low-speed electric scooters on bicycle paths
38 under its jurisdiction.

39 e. Unless permitted by a local government entity or State
40 agency with jurisdiction, a low-speed electric bicycle or low-speed
41 electric scooter shall not be operated on a trail designated for non-
42 motorized traffic if such trail has a natural surface tread made by
43 clearing and grading the soil and no surfacing materials have been
44 added.

45 f. The operator of a low-speed electric bicycle or low-speed
46 electric scooter shall not be required to register the low-speed
47 electric bicycle or low-speed electric scooter, furnish proof of
48 insurance, or have a driver's license.

1 g. Except as otherwise provided by this section, all statutes,
2 including the provisions of chapter 4 of Title 39 of the Revised
3 Statutes, rules, and regulations applicable to bicycles, as defined in
4 section 1 of P.L.1991, c.465 (C.39:4-10.1), shall apply to low-speed
5 electric bicycles and low-speed electric scooters, except those
6 provisions which by their very nature may have no application to
7 low-speed electric bicycles or low-speed electric scooters.

8 h. A low-speed electric bicycle or low-speed electric scooter
9 shall be considered a motor vehicle to the extent required by
10 23 U.S.C. s.154.

11 (cf: P.L.2019, c.121, s.2)

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13 4. This act shall take effect immediately.

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STATEMENT

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18 This bill requires the New Jersey Motor Vehicle Commission to
19 develop and implement a public information campaign concerning
20 the operation of, and dangers to pedestrians and other vehicles
21 interacting with, low-speed electric bicycles, low-speed motorized
22 scooters, motorized bicycles, and motorized scooters. The
23 campaign would also notify persons operating these vehicles of
24 their responsibilities concerning the safety of others.

25 The bill also establishes a speed limit of 15 miles per hour for
26 the operation of motorized bicycles, low-speed electric bicycles,
27 and low-speed electric scooters on the highways, roadways, and
28 streets in the State.