

[First Reprint]

SENATE, No. 4132

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED NOVEMBER 30, 2023

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

Requires low-speed electric bicycles and low-speed electric scooters to be registered with MVC and to be insured.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on December 14, 2023, with amendments.



1 AN ACT concerning low-speed electric bicycles and low-speed
2 electric scooters, and amending various parts of the statutory
3 law.

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

7
8 1. Section 19 of P.L.1983, c.362 (C.17:28-1.3) is amended to
9 read as follows:

10 19. a. Every liability insurance policy issued in this State on a
11 motor vehicle, exclusive of an automobile as defined in section 2 of
12 P.L.1972, c.70 (C.39:6A-2), but including a motorcycle and an
13 autocycle, or on a motorized bicycle, low-speed electric bicycle, or
14 low-speed electric scooter, insuring against loss resulting from
15 liability imposed by law for bodily injury, death, and property
16 damage sustained by any person arising out of the ownership,
17 operation, maintenance, or use of a motor vehicle, low-speed
18 electric bicycle, low-speed electric scooter, or motorized bicycle
19 shall provide personal injury protection coverage benefits, in
20 accordance with section 4 of P.L. 1972, c. 70 (C.39:6A-4), to
21 pedestrians who sustain bodily injury in the State caused by the
22 named insured's motor vehicle, low-speed electric bicycle, low-
23 speed electric scooter, or motorized bicycle or by being struck by an
24 object propelled by or from the motor vehicle, low-speed electric
25 bicycle, low-speed electric scooter, or motorized bicycle.

26 b. For purposes of this section:

27 "Autocycle" means a three-wheeled motorcycle designed to be
28 controlled with a steering wheel and pedals in which the operator
29 and passenger may ride in a completely or partially enclosed seating
30 area that is equipped with a roll cage or roll hoops, safety seat belts
31 for each occupant, and anti-lock brakes.

32 "Low-speed electric bicycle" means a two or three-wheeled
33 vehicle with fully operable pedals and an electric motor of less than
34 750 watts, that meets the requirements of one of the following
35 classifications: "class 1 low-speed electric bicycle" which means a
36 low-speed electric bicycle equipped with a motor that provides
37 assistance only when the rider is pedaling, and that ceases to
38 provide assistance when the bicycle reaches the speed of 20 miles
39 per hour; or "class 2 low-speed electric bicycle" which means a
40 low-speed electric bicycle equipped with a motor that may be used
41 exclusively to propel the bicycle, and that is not capable of
42 providing assistance when the bicycle reaches the speed of 20 miles
43 per hour.

44 "Low-speed electric scooter" means a scooter with a floorboard
45 that can be stood upon by the operator, with handlebars, and an

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted December 14, 2023.

1 electric motor that is capable of propelling the device with or
2 without human propulsion at a maximum speed of less than 19
3 miles per hour.

4 "Motorcycle" includes motorcycles, autocycles, motor bikes,
5 bicycles with motor attached and all motor-operated vehicles of the
6 bicycle or tricycle type, except motorized bicycles as defined in this
7 section, whether the motive power be a part thereof or attached
8 thereto and having a saddle or seat with the driver sitting astride or
9 upon it or a platform on which the driver stands.

10 "Motorized bicycle" means a pedal bicycle having a helper motor
11 characterized in that either the maximum piston displacement is less
12 than 50 cc. or said motor is rated at no more than 1.5 brake
13 horsepower or is powered by an electric drive motor and said
14 bicycle is capable of a maximum speed of no more than 25 miles
15 per hour on a flat surface.

16 (cf: P.L.2019, c.110, s.2.)

17

18 2. Section 14 of P.L.1972, c.70 (C.39:6A-14) is amended to
19 read as follows:

20 14. Every owner or registrant of an automobile, low-speed
21 electric bicycle, low-speed electric scooter, or autocycle registered
22 or principally garaged in this State shall maintain uninsured
23 motorist coverage as provided in P.L.1968, c.385 (C.17:28-1.1).

24 (cf: P.L.2016, c.35, s.6.)

25

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

28 2. a. A low-speed electric bicycle or low-speed electric
29 scooter, as defined in R.S.39:1-1, may be operated on the streets,
30 highways, roadways, and bicycle paths of this State, except as
31 otherwise provided in this section, and may be parked on a sidewalk
32 provided that the low-speed electric bicycle or low-speed electric
33 scooter does not impede the normal movement of pedestrian or
34 other traffic upon the sidewalk.

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

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

46 d. A low-speed electric bicycle or low-speed electric scooter
47 may be operated on bicycle paths, except that a local government
48 entity or State agency may prohibit the operation of low-speed

1 electric bicycles or low-speed electric scooters on bicycle paths
2 under its jurisdiction.

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

9 f. The operator of a low-speed electric bicycle or low-speed
10 electric scooter shall not be required to [register the low-speed
11 electric bicycle or low-speed electric scooter, and furnish proof of
12 insurance, or] have a driver's license.

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

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

23 i. (1) No person shall operate a low-speed electric bicycle or
24 low-speed electric scooter unless the low-speed electric bicycle or
25 low-speed electric scooter is registered by the owner thereof, as
26 provided in this subsection.

27 (2) The New Jersey Motor Vehicle Commission is authorized to
28 grant a registration certificate to the owner of a low-speed electric
29 bicycle or low-speed electric scooter, provided that the application
30 for registration has been properly submitted, the registration fee has
31 been paid, and the low-speed electric bicycle or low-speed electric
32 scooter is of a type approved by the Chief Administrator of the New
33 Jersey Motor Vehicle Commission.

34 (3) The form and contents of the registration certificate shall be
35 prescribed by the chief administrator. The chief administrator shall
36 maintain a record of all registration certificates issued and their
37 contents.

38 (4) The registration shall expire and the registration certificate
39 shall become void on the last day of the 11th calendar month
40 following the calendar month in which the certificate was issued,
41 except that the chief administrator may suspend or revoke a
42 registration for any violation of this section or any rules
43 promulgated thereunder.

44 (5) Application forms for all renewals of registrations for low-
45 speed electric bicycles and low-speed electric scooters shall be
46 mailed by the commission to the last known address of the owner of
47 the low-speed electric bicycle or low-speed electric scooter, as such
48 address appears on the records of the commission.

1 (6) The fee for the initial registration of a low-speed electric
2 bicycle or low-speed electric scooter, and each renewal of
3 registration, shall be \$8.

4 j. An owner or registered owner of a low-speed electric bicycle
5 or low-speed electric scooter registered or principally garaged in
6 this State shall maintain liability insurance coverage pursuant to
7 section 1 of P.L.1972, c.197 (C.39:6B-1), personal injury protection
8 coverage for pedestrians pursuant to section 19 of P.L. 1983, c.362
9 (C.17:28-1.3), and uninsured motorist coverage pursuant to section
10 14 of P.L.1972, c.70 (C.39:6A-14).

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

12
13 4. Section 1 of P.L.1972, c.197 (C.39:6B-1) is amended to read
14 as follows:

15 1. a. Every owner or registered owner of a motor vehicle, low-
16 speed electric bicycle, or low-speed electric scooter registered or
17 principally garaged in this State shall maintain motor vehicle, low-
18 speed electric bicycle, or low-speed electric scooter liability
19 insurance coverage, under provisions approved by the
20 Commissioner of Banking and Insurance, insuring against loss
21 resulting from liability imposed by law for bodily injury, death and
22 property damage sustained by any person arising out of the
23 ownership, maintenance, operation or use of a motor vehicle, low-
24 speed electric bicycle, or low-speed electric scooter wherein such
25 coverage shall be at least in: (1) an amount or limit of \$15,000 for
26 plans issued or renewed prior to January 1, 2023, \$25,000 for plans
27 issued or renewed on or after January 1, 2023 but prior to January
28 1, 2026, and \$35,000 for plans issued or renewed on or after
29 January 1, 2026, exclusive of interest and costs, on account of
30 injury to, or death of, one person, in any one accident; and (2) an
31 amount or limit, subject to such limit for any one person so injured
32 or killed, of \$30,000 for plans issued or renewed prior to January 1,
33 2023, \$50,000 for plans issued or renewed on or after January 1,
34 2023 but prior to January 1, 2026, and \$70,000 for plans issued or
35 renewed on or after January 1, 2026, exclusive of interest and costs,
36 on account of injury to or death of, more than one person, in any
37 one accident; and (3) an amount or limit of \$25,000 for plans issued
38 or renewed on or after January 1, 2023, exclusive of interest and
39 costs, for damage to property in any one accident.

40 b. Notwithstanding the provisions of subsection a. of this
41 section, an owner or registered owner of an automobile, as defined
42 in section 2 of P.L.1972, c.70 (C.39:6A-2), registered or primarily
43 garaged in the State may satisfy the requirements of subsection a. of
44 this section by maintaining a basic automobile insurance policy
45 containing coverages provided pursuant to subsections a. and b. of
46 section 4 of P.L.1998, c.21 (C.39:6A-3.1).

47 c. Notwithstanding the provisions of subsection a. of this
48 section, an owner or registered owner of an automobile, as defined

1 in section 2 of P.L.1972, c.70 (C.39:6A-2), registered or primarily
2 garaged in the State may satisfy the requirements of subsection a. of
3 this section by maintaining a special automobile insurance policy
4 containing coverages provided pursuant to subsection b. of section
5 45 of P.L.2003, c.89 (C.39:6A-3.3).

6 d. Upon the renewal of a policy of insurance that, under its
7 original policy limits, would no longer meet the minimum
8 requirements established pursuant to this section, an insurer shall
9 notify the named insured that the policy limits have been increased
10 to meet the requirements established pursuant to this section.
11 Notice provided pursuant to this subsection shall specify the limit or
12 limits that have been increased to meet the requirements established
13 pursuant to this section. Notwithstanding the provisions of any law,
14 rule, or regulation to the contrary, an insurer shall not be required to
15 receive a signed coverage selection form pursuant to N.J.A.C.11:3-
16 15.7, to increase a policy's limits pursuant to this section.

17 (cf: P.L.2022, c.87, s.2.)

18

19 5. This act shall take effect ¹**【on January 1, 2023】** 180 days after
20 the date of enactment¹.