

**ASSEMBLY, No. 3875**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED FEBRUARY 27, 2024

**Sponsored by:**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Somerset and Union)**

**Assemblyman WILLIAM B. SAMPSON, IV**

**District 31 (Hudson)**

**Assemblywoman GARNET R. HALL**

**District 28 (Essex and Union)**

**Co-Sponsored by:**

**Assemblywoman Speight**

**SYNOPSIS**

Requires testing of electrical systems of certain electric bicycles, powered mobility devices, and batteries prior to sale, rental, lease, or other distribution to consumers.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 4/4/2024)**

1 AN ACT concerning the electrical systems of certain electric  
2 bicycles, powered mobility devices, and batteries, and  
3 supplementing Title 39 of the Revised Statutes.

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

7  
8 1. a. As used in this section:

9 "Bicycle" means the same as that term is defined in R.S.39:4-  
10 14.5.

11 "Department" means the Department of Transportation.

12 "Low-speed electric bicycle" means the same as that term is  
13 defined in R.S.39:1-1.

14 "Low-speed electric scooter" means the same as that term is  
15 defined in R.S.39:1-1.

16 "Powered mobility device" means a low speed electric scooter or  
17 other personal mobility device powered by a lithium-ion or other  
18 storage battery. "Powered mobility device" does not include any  
19 vehicle that is capable of being registered with the New Jersey  
20 Motor Vehicle Commission.

21 "Stock keeping unit" means a grouping of items, offered for sale,  
22 which are of the same brand name and variety, and which have the  
23 same quantity of contents and retail price.

24 b. No person shall sell, lease, rent, or otherwise distribute, or  
25 shall offer for sale, lease, rental, or distribution, a low-speed  
26 electric bicycle, unless:

27 (1) the electrical system of the low-speed electric bicycle has  
28 been tested by an accredited testing laboratory for compliance with  
29 Underwriters Laboratories Standard 2849 or such other safety  
30 standard as the department has established by rule or regulation  
31 adopted pursuant to the "Administrative Procedure Act," P.L.1968,  
32 c.410 (C.52:14B-1 et seq.), and in consultation with the Department  
33 of Law and Public Safety; and

34 (2) confirmation of the testing required pursuant to paragraph (1)  
35 of this subsection is displayed using a logo, wordmark, or name of  
36 the accredited testing laboratory: (a) on packaging or  
37 documentation provided, to the consumer, at the time of sale, rental,  
38 lease, or other distribution of the low-speed electric bicycle thereto;  
39 or (b) directly affixed to the low-speed electric bicycle or its  
40 battery.

41 c. No person shall sell, lease, rent, or otherwise distribute, or  
42 shall offer for sale, lease, rental, or distribution, a powered mobility  
43 device, unless:

44 (1) the electrical system of the powered mobility device has been  
45 tested by an accredited testing laboratory for compliance with  
46 Underwriters Laboratories Standard 2272, or such other safety  
47 standard as the department has established by rule or regulation  
48 adopted pursuant to the "Administrative Procedure Act," P.L.1968,

1 c.410 (C.52:14B-1 et seq.), and in consultation with the Department  
2 of Law and Public Safety; and

3 (2) confirmation of the testing required pursuant to paragraph (1)  
4 of this subsection is displayed using a logo, wordmark, or name of  
5 the accredited testing laboratory: (a) on packaging or  
6 documentation provided to the consumer at the time of sale, rental,  
7 lease, or other distribution of the powered mobility device thereto;  
8 or (b) directly affixed to the powered mobility device or its battery.

9 d. No person shall sell, lease, rent, or otherwise distribute, or  
10 shall offer for sale, lease, or rental, or distribution, a storage battery  
11 for a low-speed electric bicycle, or a storage battery for a powered  
12 mobility scooter, unless:

13 (1) the storage battery has been tested, by an accredited testing  
14 laboratory, for compliance with Underwriters Laboratories Standard  
15 2271 or such other safety standard as the department has established  
16 by rule or regulation adopted pursuant to the "Administrative  
17 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and in  
18 consultation with the Department of Law and Public Safety, or the  
19 storage battery is part of an electrical system that has been tested  
20 pursuant to subsection b. or c. of this section, as appropriate; and

21 (2) confirmation of the testing required pursuant to paragraph (1)  
22 of this subsection is displayed using a logo, wordmark, or name of  
23 the accredited testing laboratory: (a) on packaging or  
24 documentation provided to the consumer at the time of sale, rental,  
25 lease, or other distribution of the storage battery thereto; or (b)  
26 directly affixed to the storage battery.

27 e. A low-speed electric bicycle, powered mobility device, or  
28 storage battery used to power such a low-speed electric bicycle or  
29 powered mobility device shall not be required to display the logo,  
30 wordmark, or name of an accredited testing laboratory, as otherwise  
31 required pursuant to subsections b. through d. of this section, if it:

32 (1) is sold, rented, leased, or otherwise distributed to consumers  
33 on a second-hand basis; and

34 (2) does not include packaging or printed documentation at the  
35 time of sale, rental, lease, or other distribution to the consumer.

36 f. (1) Any person who violates the provisions of this section  
37 shall be subject to: (a) a written warning for a first offense; and (b)  
38 a penalty of up to \$1,000 for each subsequent offense occurring no  
39 later than two years after the date of the first offense.

40 (2) Any penalty applicable under this subsection shall be  
41 collected, by the State, either in a summary civil proceeding  
42 commenced under the "Penalty Enforcement Law of 1999,"  
43 P.L.1999, c.274 (C.2A:58-10 et seq.), or in any case before a court  
44 of competent jurisdiction wherein injunctive relief has been  
45 requested. The Superior Court and the municipal court shall have  
46 jurisdiction to enforce the provisions of the "Penalty Enforcement  
47 Law of 1999" in accordance with the provisions of this section.

1 (3) Each failure to comply with the provisions of subsections b.  
2 through d. of this section, with respect to any single stock keeping  
3 unit, shall constitute an additional, separate, and distinct violation.

4 (4) The department may institute a civil action for injunctive  
5 relief to enforce the provisions, or to prevent a violation, of this  
6 section, and the court may proceed in the action in a summary  
7 manner.

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9 2. This act shall take effect of the first day of the eighth month  
10 next following the date of enactment.

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STATEMENT

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15 This bill would prohibit the sale, lease, rental, or other  
16 distribution, and the offering for sale, lease, rental, or other  
17 distribution, of a low-speed electric bicycle, powered mobility  
18 device, or storage battery used to power such an electric bicycle or  
19 mobility device, unless:

20 (1) the bicycle, mobility device, or battery has been tested by a  
21 accredited testing laboratory for compliance with an appropriate  
22 Underwriters Laboratories standard or other appropriate standard  
23 established by the Department of Transportation; and

24 (2) confirmation of the testing is displayed using a logo,  
25 wordmark, or name of the accredited testing laboratory, either on  
26 packaging or documentation that is provided to the consumer at the  
27 time of sale, rental, lease, or other distribution thereto, or directly  
28 affixed to the bicycle, mobility device, or battery.

29 Persons who violate the bill's provisions would be subject to a  
30 written warning for a first offense and a penalty of up to \$1,000 for  
31 each subsequent offense occurring no later than two years after the  
32 date of the first offense. The bill would take effect on the first day  
33 of the eighth month next following enactment.