
BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. R.S.39:1-1 is amended to read as follows:

39:1-1. As used in this subtitle, unless other meaning is clearly apparent from the language or context, or unless inconsistent with the manifest intention of the Legislature:

"Alley" means a public highway wherein the roadway does not exceed 12 feet in width.

"Authorized emergency vehicles" means vehicles of the fire department, police vehicles and such ambulances and other vehicles as are approved by the chief administrator when operated in response to an emergency call.

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

"Automobile" includes all motor vehicles except motorcycles.

"Berm" means that portion of the highway exclusive of roadway and shoulder, bordering the shoulder but not to be used for vehicular travel.

"Business district" means that portion of a highway and the territory contiguous thereto, where within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the roadway.

"Car pool" means two or more persons commuting on a daily basis to and from work by means of a vehicle with a seating capacity of nine passengers or less.

"Chief Administrator" or "Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

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:

1Assembly ATR committee amendments adopted June 6, 2016.
2Assembly floor amendments adopted June 27, 2016.
"Commercial motor vehicle" includes every type of motor-driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares and merchandise, excepting such vehicles as are run only upon rails or tracks and vehicles of the passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.


"Commissioner" means the Commissioner of Transportation of this State.

"Commuter van" means a motor vehicle having a seating capacity of not less than seven nor more than 15 adult passengers, in which seven or more persons commute on a daily basis to and from work and which vehicle may also be operated by the driver or other designated persons for their personal use.

"Crosswalk" means that part of a highway at an intersection, either marked or unmarked existing at each approach of every roadway intersection, included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the shoulder, or, if none, from the edges of the roadway; also, any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other marking on the surface.

"Curb extension" or "bulbout" means a horizontal extension of the sidewalk into the street which results in a narrower roadway section.

"Dealer" includes every person actively engaged in the business of buying, selling or exchanging motor vehicles or motorcycles and who has an established place of business.

"Deputy Chief Administrator" means the deputy chief administrator of the commission.

"Driver" means the rider or driver of a horse, bicycle or motorcycle or the driver or operator of a motor vehicle, unless otherwise specified.

"Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities or packing that an ignition by fire, friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

"Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.
"Flammable liquid" means any liquid having a flash point below 200 degrees Fahrenheit, and a vapor pressure not exceeding 40 pounds.

"Gross weight" means the combined weight of a vehicle and a load thereon.

"High occupancy vehicle" or "HOV" means a vehicle which is used to transport two or more persons and shall include public transportation, car pool, van pool, and other vehicles as determined by regulation of the Department of Transportation.

"Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

"Horse" includes mules and all other domestic animals used as draught animals or beasts of burden.

"Inside lane" means the lane nearest the center line of the roadway.

"Intersection" means the area embraced within the prolongation of the lateral curb lines or, if none, the lateral boundary lines of two or more highways which join one another at an angle, whether or not one such highway crosses another.

"Laned roadway" means a roadway which is divided into two or more clearly marked lanes for vehicular traffic.

"Leased limousine" means any limousine subject to regulation in the State which:

a. Is offered for rental or lease, without a driver, to be operated by a limousine service as the lessee, for the purpose of carrying passengers for hire; and

b. Is leased or rented for a period of one year or more following registration.

"Leased motor vehicle" means any motor vehicle subject to registration in this State which:

a. Is offered for rental or lease, without a driver, to be operated by the lessee, his agent or servant, for purposes other than the transportation of passengers for hire; and

b. Is leased or rented for a period of one year or more following registration.

"Limited-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway; and includes any highway designated as a "freeway" or "parkway" by authority of law.

"Local authorities" means every county, municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this State, including every county governing body with relation to county roads.

"Low-speed vehicle" means a four-wheeled low-speed vehicle, as defined in 49 CFR s.571.3(b), whose attainable speed is more than
20 miles per hour but not more than 25 miles per hour on a paved level surface and which is not powered by gasoline or diesel fuel and complies with federal safety standards as set forth in 49 CFR s.571.500.

"Magistrate" means any municipal court and the Superior Court, and any officer having the powers of a committing magistrate and the chief administrator.

"Manufacturer" means a person engaged in the business of manufacturing or assembling motor vehicles, who will, under normal business conditions during the year, manufacture or assemble at least 10 new motor vehicles.

"Metal tire" means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

"Mid-block crosswalk" means a crosswalk located away from an intersection, distinctly indicated by lines or markings on the surface.

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

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

"Motor-drawn vehicle" includes trailers, semitrailers, or any other type of vehicle drawn by a motor-driven vehicle.

"Motor vehicle" includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks and motorized bicycles.

"Motorized scooter" means a miniature motor vehicle and includes, but is not limited to, pocket bikes, super pocket bikes, scooters, mini-scooters, sport scooters, mini choppers, mini motorcycles, motorized skateboards and other vehicles with motors not manufactured in compliance with Federal Motor Vehicle Safety Standards and which have no permanent Federal Safety Certification stickers affixed to the vehicle by the original manufacturer. This term shall not include: electric personal assistive mobility devices, motorized bicycles or low-speed vehicles; or motorized wheelchairs, mobility scooters or similar mobility assisting devices used by persons with physical disabilities, or persons whose ambulatory mobility has been impaired by age or illness.

"Motorized skateboard" means a skateboard that is propelled otherwise than by muscular power.

"Motorized wheelchair" means any motor-driven wheelchair utilized to increase the independent mobility, in the activities of
daily living, of an individual who has limited or no ambulation
abilities, and includes mobility scooters manufactured specifically
for such purposes and designed primarily for indoor use.

"Noncommercial truck" means every motor vehicle designed
primarily for transportation of property, and which is not a
"commercial vehicle."

"Official traffic control devices" means all signs, signals,
markings, and devices not inconsistent with this subtitle placed or
erected by authority of a public body or official having jurisdiction
for the purpose of regulating, warning, or guiding traffic.

"Omnibus" includes all motor vehicles used for the transportation
of passengers for hire, except commuter vans and vehicles used in
ridesharing arrangements and school buses, if the same are not
otherwise used in the transportation of passengers for hire.

"Operator" means a person who is in actual physical control of a
vehicle or street car.

"Outside lane" means the lane nearest the curb or outer edge of
the roadway.

"Owner" means a person who holds the legal title of a vehicle, or
if a vehicle is the subject of an agreement for the conditional sale or
lease thereof with the right of purchase upon performance of the
conditions stated in the agreement and with an immediate right of
possession vested in the conditional vendee or lessee, or if a
mortgagor of a vehicle is entitled to possession, then the conditional
vendee, lessee or mortgagor shall be deemed the owner for the
purpose of this subtitle.

"Parking" means the standing or waiting on a street, road or
highway of a vehicle not actually engaged in receiving or
discharging passengers or merchandise, unless in obedience to
traffic regulations or traffic signs or signals.

"Passenger automobile" means all automobiles used and designed
for the transportation of passengers, other than omnibuses and
school buses.

"Pedestrian" means a person afoot.

"Person" includes natural persons, firms, copartnerships,
associations, and corporations.

"Pneumatic tire" means every tire in which compressed air is
designed to support the load.

"Pole trailer" means every vehicle without motive power designed
to be drawn by another vehicle and attached to the towing vehicle by
means of a reach, or pole, or by being boomed or otherwise secured
to the towing vehicle, and ordinarily used for transporting long or
irregularly shaped loads, such as poles, pipes, or structural members
capable, generally, of sustaining themselves as beams between the
supporting connections.

"Private road or driveway" means every road or driveway not
open to the use of the public for purposes of vehicular travel.
"Railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

"Recreation vehicle" means a self-propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping or travel purposes and used solely as a family or personal conveyance.

"Residence district" means that portion of a highway and the territory contiguous thereto, not comprising a business district, where within any 600 feet along such highway there are buildings in use for business or residential purposes which occupy 300 feet or more of frontage on at least one side of the highway.

"Ridesharing" means the transportation of persons in a motor vehicle, with a maximum carrying capacity of not more than 15 passengers, including the driver, where such transportation is incidental to the purpose of the driver. The term shall include such ridesharing arrangements known as car pools and van pools.

"Right-of-way" means the privilege of the immediate use of the highway.

"Riders" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately, but not to all such roadways, collectively.

"Safety zone" means the area or space officially set aside within a highway for the exclusive use of pedestrians, which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

"School bus" means every motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated for the transportation of children to or from school for secular or religious education, which complies with the regulations of the New Jersey Motor Vehicle Commission affecting school buses, including "School Vehicle Type I" and "School Vehicle Type II" as defined below:

"School Vehicle Type I" means any vehicle designed to transport 16 or more passengers, including the driver, used to transport enrolled children, and adults only when serving as chaperones, to or from a school, school connected activity, day camp, summer day camp, summer residence camp, nursery school, child care center, preschool center or other similar places of education. Such vehicle shall comply with the regulations of the New Jersey Motor Vehicle Commission and either the Department of Education or the
Department of Human Services, whichever is the appropriate
supervising agency.

"School Vehicle Type II" means any vehicle designed to transport
less than 16 passengers, including the driver, used to transport
enrolled children, and adults only when serving as chaperones, to or
from a school, school connected activity, day camp, summer day
camp, summer residence camp, nursery school, child care center,
.preschool center or other similar places of education. Such vehicle
shall comply with the regulations of the New Jersey Motor Vehicle
Commission and either the Department of Education or the
Department of Human Services, whichever is the appropriate
supervising agency.

"School zone" means that portion of a highway which is either
contiguous to territory occupied by a school building or is where
school crossings are established in the vicinity of a school, upon
which are maintained appropriate "school signs" in accordance with
specifications adopted by the chief administrator and in accordance
with law.

"School crossing" means that portion of a highway where school
children are required to cross the highway in the vicinity of a school.

"Semitrailer" means every vehicle with or without motive power,
other than a pole trailer, designed for carrying persons or property
and for being drawn by a motor vehicle and so constructed that some
part of its weight and that of its load rests upon or is carried by
another vehicle.

"Shipper" means any person who shall deliver, or cause to be
delivered, any commodity, produce or article for transportation as
the contents or load of a commercial motor vehicle. In the case of a
sealed ocean container, "shipper" shall not be construed to include
any person whose activities with respect to the shipment are limited
to the solicitation or negotiation of the sale, resale, or exchange of
the commodity, produce or article within that container.

"Shoulder" means that portion of the highway, exclusive of and
bordering the roadway, designed for emergency use but not
ordinarily to be used for vehicular travel.

"Sidewalk" means that portion of a highway intended for the use
.of pedestrians, between the curb line or the lateral line of a shoulder,
or if none, the lateral line of the roadway and the adjacent right-of-
way line.

"Sign." See "Official traffic control devices."

"Slow-moving vehicle" means a vehicle run at a speed less than
the maximum speed then and there permissible.

"Solid tire" means every tire of rubber or other resilient material
which does not depend upon compressed air for the support of the
load.

"Street" means the same as highway.

"Street car" means a car other than a railroad train, for
transporting persons or property and operated upon rails principally
within a municipality.
"Stop," when required, means complete cessation from movement.

"Stopping or standing." when prohibited, means any cessation of movement of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

"Suburban business or residential district" means that portion of highway and the territory contiguous thereto, where within any 1,320 feet along that highway there is land in use for business or residential purposes and that land occupies more than 660 feet of frontage on one side or collectively more than 660 feet of frontage on both sides of that roadway.

"Through highway" means every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter.

"Trackless trolley" means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

"Traffic" means pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly, or together, while using any highway for purposes of travel.

"Traffic control signal" means a device, whether manually, electrically, mechanically, or otherwise controlled, by which traffic is alternately directed to stop and to proceed.

"Trailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

"Truck" means every motor vehicle designed, used, or maintained primarily for the transportation of property.

"Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Van pooling" means seven or more persons commuting on a daily basis to and from work by means of a vehicle with a seating arrangement designed to carry seven to 15 adult passengers.

"Vehicle" means every device in, upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

(cf: P.L.2009, c.107, s.1.)
basic driver's license to operate a motor vehicle pursuant to R.S.39:3-10.
c. A person shall not drive, operate, or ride as a passenger in an autocycle without: (1) sitting on a seat; (2) properly using a safety seat belt; and (3) wearing a securely fitted protective helmet pursuant to section 6 of P.L.1967, c.237 (C.39:3-76.7) if required.
d. A person operating an autocycle shall not permit a child to be a passenger in the autocycle if the child would be required to be secured in a child passenger restraint system, pursuant to section 1 of P.L.1983, c.128 (C.39:3-76.2a).

An owner or registered owner of an autocycle registered or principally garaged in this State shall maintain motor vehicle liability insurance coverage pursuant to section 1 of P.L.1972, c.197 (C.39:6B-1), personal injury protection coverage pursuant to section 4 of P.L.1972, c.70 (C.39:6A-4), and uninsured motorist coverage pursuant to section 14 of P.L.1972, c.70 (C.39:6A-14).

The chief administrator shall adopt rules and regulations pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), as are necessary to implement this act. The chief administrator may include information on autocycles in the commission’s driver’s manual and on its Internet website.

3. Section 2 of P.L.1967, c.237 (C.39:3-76.3) is amended to read as follows:
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2 No person shall operate on a public highway a motorcycle on which the handle bar grips are higher than the shoulder height of the operator when seated. For the purposes of this section, a motorcycle shall not include an autocycle.
(cf: P.L.1979, c.434, s.1)

4. Section 6 of P.L.1967, c.237 (C.39:3-76.7) is amended to read as follows:
6. a. A person shall not operate or ride upon a motorcycle unless the person is wearing a securely fitted protective helmet of a size proper for that person and of a type approved by the chief administrator. Such a helmet must be equipped with either a neck or chin strap and be reflectorized on both sides thereof. The chief administrator is authorized and empowered to adopt rules and regulations covering the types of helmets and the specifications therefor and to establish and maintain a list of approved helmets which meet the specifications as established hereunder. For the purposes of this section, a motorcycle shall not include an autocycle that is completely enclosed or any three-wheeled motor vehicle equipped with a single cab with glazing enclosing the occupant, seats similar to those of a passenger vehicle or truck, seat belts and automotive steering.
b. The chief administrator shall not assess motor vehicle points for the failure of a motorcycle operator or rider to wear a protective helmet.
(cf: P.L.1992, c.153, s.1)

5. Section 8 of P.L.1967, c.237 (C.39:3-76.9) is amended to read as follows:
8. The provisions of section 7 of this act P.L.1967, c.237 (C.39:3-76.8) with respect to goggles and face shields shall not apply to the operator of a motorcycle equipped with a wind screen or an autocycle that meets the specifications established by the chief administrator.
(cf: P.L.1967, c.237, s.8)

6. Section 14 of P.L.1972, c.70 (C.39:6A-14) is amended to read as follows:
14. Every owner or registrant of an automobile or autocycle registered or principally garaged in this State shall maintain uninsured motorist coverage as provided in P.L.1968, c.385 (C.17:28-1.1).
(cf: P.L.1972, c.70, s.14)

7. This act shall take effect immediately, except that subsection a. of section 2 of P.L. , c. (C. ) (pending before the Legislature as this bill) shall remain inoperative until six months following the date of enactment, provided, however, that the Chief Administrator of the New Jersey Motor Vehicle Commission may take such anticipatory actions as may be necessary for the timely implementation of the provisions of that subsection
Regulates autocycles as motorcycles.