

STATEMENT TO
ASSEMBLY, No. 1810

with Assembly Floor Amendments
(Proposed by Assemblyman MUKHERJI)

ADOPTED: DECEMBER 17, 2018

These Assembly amendments include low-speed electric scooters under the provisions of the bill and regulate low-speed electric bicycles depending on the classification of the bicycle.

The amendments provide that a low-speed electric scooter is not to be considered a motorized bicycle, motorcycle, motor vehicle, motorized scooter, or vehicle, as those terms are defined in the bill. The amendments also provide that a low-speed electric bicycle is not to be considered a vehicle, as that term is defined in the bill.

The amendments remove authorization for low-speed electric scooters and low-speed electric bicycles to be operated on sidewalks and include a provision allowing them to be operated on roadways and to be parked on a sidewalk so long as doing so does not impede the normal movement of pedestrian or other traffic upon the sidewalk.

The amendments require manufacturers and distributors of low-speed electric bicycles to apply a label that is permanently affixed, in a prominent location, to each low-speed electric bicycle that contains the classification number, top assisted speed, and motor wattage of the low-speed electric bicycle, printed in Arial font in at least 9-point type. The amendments prohibit a person from modifying a low-speed electric bicycle so as to change the motor-powered speed capability or engagement of the bicycle, unless that person replaces the label indicating the classification of the bicycle.

The amendments provide that low-speed electric bicycles and low-speed electric scooters may be operated on bicycle paths, except that a local government entity or State agency may prohibit such operation on bicycle paths under its jurisdiction. The amendments prohibit low-speed electric bicycles and low-speed electric scooters from being operated on a trail designated for non-motorized traffic if the trail has a natural surface tread made by clearing and grading the soil and no surfacing materials have been added, unless a local government entity or State agency with jurisdiction over the trail allows the operation of low-speed electric bicycles or low-speed electric scooters on the trail.

The amendments provide that the operator of a low-speed electric scooter is not required to register the scooter, furnish proof of insurance, or have a driver's license. The amendments provide that all statutes applicable to bicycles are applicable to low-speed electric scooters and low-speed electric bicycles, except those provisions which by their very nature may have no application.

The amendments provide that a low-speed electric bicycle or low-speed electric scooter is to be considered a motor vehicle to the extent required by 23 U.S.C. s.154.

The amendments provide that a person operating a bicycle is only permitted to ride on a sidewalk, intended primarily for pedestrian use, if the municipality or county having jurisdiction over the sidewalk passes an ordinance that allows bicycles to be operated on the sidewalk or the State agency having jurisdiction allows the operation of bicycles on the sidewalk. Any State agency, municipality, or county that allows the operation of bicycles on a sidewalk under its jurisdiction is required to provide appropriate signage indicating that bicycles may be operated on the sidewalk.

The amendments also change the title and synopsis of the bill to reflect the changes made.