

[First Reprint]

SENATE, No. 731

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

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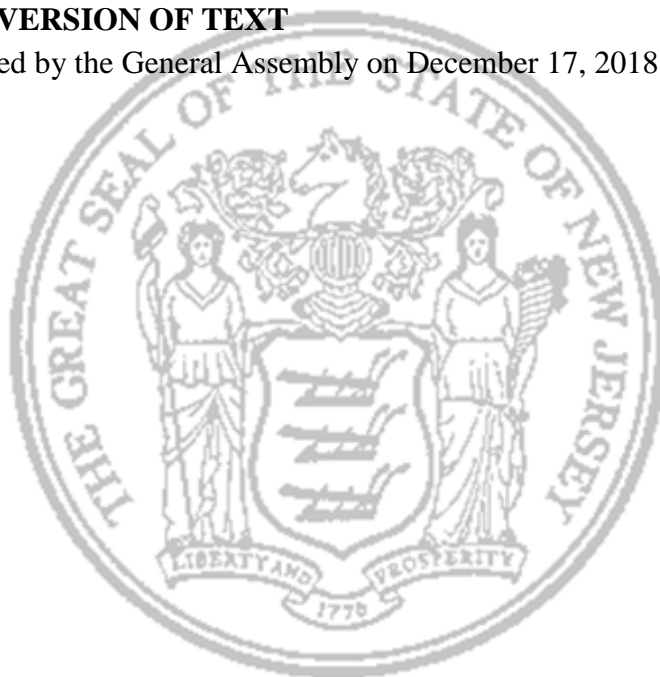
Senator Gopal

SYNOPSIS

Regulates operation of low-speed electric bicycles and low-speed electric scooters; prohibits bicycles from being operated on sidewalks with limited exceptions.

CURRENT VERSION OF TEXT

As amended by the General Assembly on December 17, 2018.



(Sponsorship Updated As Of: 9/28/2018)

1 AN ACT concerning ¹low-speed¹ electric bicycles ¹and low-speed
2 electric scooters¹, amending R.S.39:1-1 ¹and P.L.1951, c.23¹,
3 and 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. R.S.39:1-1 is amended to read as follows:

9 39:1-1. As used in this subtitle, unless other meaning is clearly
10 apparent from the language or context, or unless inconsistent with
11 the manifest intention of the Legislature:

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

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

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

23 "Automobile" includes all motor vehicles except motorcycles.

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

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

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

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

39 "Commercial motor vehicle" includes every type of motor-driven
40 vehicle used for commercial purposes on the highways, such as the
41 transportation of goods, wares and merchandise, excepting such
42 vehicles as are run only upon rails or tracks and vehicles of the
43 passenger car type used for touring purposes or the carrying of farm
44 products and milk, as the case may be.

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 floor amendments adopted December 17, 2018.

1 "Commission" means the New Jersey Motor Vehicle
2 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-
3 4).

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

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

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

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

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

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

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

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

40 "Farm tractor" means every motor vehicle designed and used
41 primarily as a farm implement for drawing plows, mowing
42 machines, and other implements of husbandry.

43 "Flammable liquid" means any liquid having a flash point below
44 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
45 pounds.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43 "Low-speed electric bicycle" means a two or three-wheeled
44 vehicle with fully operable pedals and an electric motor of less than
45 750 watts, ¹whose maximum speed on a paved level surface, when
46 powered solely by a motor while operated by a person weighing 170
47 pounds, is less than 20 miles per hour] that meets the requirements
48 of one of the following classifications: "class 1 low-speed electric

1 bicycle" which means a low-speed electric bicycle equipped with a
2 motor that provides assistance only when the rider is pedaling, and
3 that ceases to provide assistance when the bicycle reaches the speed
4 of 20 miles per hour; or "class 2 low-speed electric bicycle" which
5 means a low-speed electric bicycle equipped with a motor that may
6 be used exclusively to propel the bicycle, and that is not capable of
7 providing assistance when the bicycle reaches the speed of 20 miles
8 per hour¹.

9 ¹"Low-speed electric scooter" means a scooter with a floorboard
10 that can be stood upon by the operator, with handlebars, and an
11 electric motor that is capable of propelling the device with or
12 without human propulsion at a maximum speed of less than 19
13 miles per hour.¹

14 "Low-speed vehicle" means a four-wheeled low-speed vehicle,
15 as defined in 49 [CFR] C.F.R. s.571.3(b), whose attainable speed is
16 more than 20 miles per hour but not more than 25 miles per hour on
17 a paved level surface and which is not powered by gasoline or
18 diesel fuel and complies with federal safety standards as set forth in
19 49 [CFR] C.F.R. s.571.500.

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

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

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

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

33 "Motorized bicycle" means a pedal bicycle having a helper motor
34 characterized in that either the maximum piston displacement is less
35 than 50 cc. or said motor is rated at no more than 1.5 brake
36 horsepower or is powered by an electric drive motor and said
37 bicycle is capable of a maximum speed of no more than 25 miles
38 per hour on a flat surface. This term shall not include a low-speed
39 electric bicycle ¹or low-speed electric scooter¹ as defined in this
40 section.

41 "Motorcycle" includes motorcycles, autocycles, motor bikes,
42 bicycles with motor attached and all motor-operated vehicles of the
43 bicycle or tricycle type, except motorized bicycles ¹[and] ¹low-
44 speed electric bicycles ¹, and low-speed electric scooters¹ as
45 defined in this section, whether the motive power be a part thereof
46 or attached thereto and having a saddle or seat with driver sitting
47 astride or upon it or a platform on which the driver stands.

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

3 "Motor vehicle" includes all vehicles propelled otherwise than by
4 muscular power, excepting such vehicles as run only upon rails or
5 tracks, low-speed electric bicycles, ¹low-speed electric scooters,¹
6 and motorized bicycles.

7 "Motorized scooter" means a miniature motor vehicle and
8 includes, but is not limited to, pocket bikes, super pocket bikes,
9 scooters, mini-scooters, sport scooters, mini choppers, mini
10 motorcycles, motorized skateboards and other vehicles with motors
11 not manufactured in compliance with Federal Motor Vehicle Safety
12 Standards and which have no permanent Federal Safety
13 Certification stickers affixed to the vehicle by the original
14 manufacturer. This term shall not include: electric personal
15 assistive mobility devices, motorized bicycles **【or】** , low-speed
16 vehicles, **【or】** ¹low-speed electric bicycles ¹, or low-speed electric
17 scooters¹; or motorized wheelchairs, mobility scooters or similar
18 mobility assisting devices used by persons with physical
19 disabilities, or persons whose ambulatory mobility has been
20 impaired by age or illness.

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

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

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

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

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

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

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

44 "Owner" means a person who holds the legal title of a vehicle, or
45 if a vehicle is the subject of an agreement for the conditional sale or
46 lease thereof with the right of purchase upon performance of the
47 conditions stated in the agreement and with an immediate right of
48 possession vested in the conditional vendee or lessee, or if a

1 mortgagor of a vehicle is entitled to possession, then the conditional
2 vendee, lessee or mortgagor shall be deemed the owner for the
3 purpose of this subtitle.

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

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

11 "Pedestrian" means a person afoot.

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

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

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

23 "Private road or driveway" means every road or driveway not
24 open to the use of the public for purposes of vehicular travel.

25 "Railroad train" means a steam engine, electric or other motor,
26 with or without cars coupled thereto, operated upon rails, except
27 street cars.

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

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

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

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

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

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

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

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

18 "School Vehicle Type I" means any vehicle designed to transport
19 16 or more passengers, including the driver, used to transport
20 enrolled children, and adults only when serving as chaperones, to or
21 from a school, school connected activity, day camp, summer day
22 camp, summer residence camp, nursery school, child care center,
23 preschool center or other similar places of education. Such vehicle
24 shall comply with the regulations of the New Jersey Motor Vehicle
25 Commission and either the Department of Education or the
26 Department of Human Services, whichever is the appropriate
27 supervising agency.

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

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

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

47 "Semitrailer" means every vehicle with or without motive power,
48 other than a pole trailer, designed for carrying persons or property

1 and for being drawn by a motor vehicle and so constructed that
2 some part of its weight and that of its load rests upon or is carried
3 by another vehicle.

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

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

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

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

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

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

24 "Street" means the same as highway.

25 "Street car" means a car other than a railroad train, for
26 transporting persons or property and operated upon rails principally
27 within a municipality.

28 "Stop," when required, means complete cessation from
29 movement.

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

34 "Suburban business or residential district" means that portion of
35 highway and the territory contiguous thereto, where within any
36 1,320 feet along that highway there is land in use for business or
37 residential purposes and that land occupies more than 660 feet of
38 frontage on one side or collectively more than 660 feet of frontage
39 on both sides of that roadway.

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

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

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

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

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

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

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

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

20 "Vehicle" means every device in, upon or by which a person or
21 property is or may be transported upon a highway, excepting
22 devices moved by human power or used exclusively upon stationary
23 rails or tracks or ¹low-speed electric bicycles, low-speed electric
24 scooters, or¹ motorized bicycles.

25 (cf: P.L.2016, c.35, s.1)

26
27 2. (New section) a. A low-speed electric bicycle ¹or low-
28 speed electric scooter¹, as defined in R.S.39:1-1, may be operated
29 on the streets, highways, ¹【sidewalks】 roadways¹, and bicycle paths
30 of this State ¹, except as otherwise provided in this section, and may
31 be parked on a sidewalk provided that the low-speed electric
32 bicycle or low-speed electric scooter does not impede the normal
33 movement of pedestrian or other traffic upon the sidewalk¹.

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

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

45 d. A low-speed electric bicycle or low-speed electric scooter
46 may be operated on bicycle paths, except that a local government
47 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 agency
4 with jurisdiction, a low-speed electric bicycle or low-speed electric
5 scooter shall not be operated on a trail designated for non-motorized
6 traffic if such trail has a natural surface tread made by clearing and
7 grading the soil and no surfacing materials have been added.

8 f.¹ The operator of a low-speed electric bicycle ¹or low-speed
9 electric scooter¹ shall not be required to register the low-speed
10 electric bicycle ¹or low-speed electric scooter¹, furnish proof of
11 insurance, or have a driver's license.

12 ¹**[c. All]** g. Except as otherwise provided by this section, all¹
13 statutes, including the provisions of chapter 4 of Title 39 of the
14 Revised Statutes, rules, and regulations applicable to bicycles, as
15 defined in section 1 of P.L.1991, c.465 (C.39:4-10.1), shall apply to
16 low-speed electric bicycles ¹and low-speed electric scooters, except
17 those provisions which by their very nature may have no application
18 to low-speed electric bicycles or low-speed electric scooters¹.

19 ¹h. A low-speed electric bicycle or low-speed electric scooter
20 shall be considered a motor vehicle to the extent required by 23
21 U.S.C. s.154.¹
22

23 ¹3. Section 16 of P.L.1951, c.23 (C.39:4-14.1) shall be amended
24 to read as follows:

25 16. a. Every person riding a bicycle upon a roadway shall be
26 granted all of the rights and shall be subject to all of the duties
27 applicable to the driver of a vehicle by chapter **[four]** 4 of Title 39
28 of the Revised Statutes and all supplements thereto except as to
29 those provisions thereof which by their nature can have no
30 application.

31 Regulations applicable to bicycles shall apply whenever a
32 bicycle is operated upon any highway or upon any path set aside for
33 the exclusive use of bicycles subject to those exceptions stated
34 herein.

35 b. A law enforcement officer operating a bicycle while in the
36 performance of his duty, and who is engaged in the apprehension of
37 violators of the law or of persons charged with, or suspected of, a
38 violation shall not be subject to the provisions of this section.

39 c. A person shall not operate a bicycle on a sidewalk intended
40 primarily for pedestrian use, except as provided pursuant to
41 subsection b. of section 17 of P.L.1951, c.23 (C.39:4-14.2).¹

42 (cf: P.L.1999, c.283, s.1)
43

44 ¹4. Section 17 of P.L.1951, c.23 (C.39:4-14.2) shall be amended
45 to read as follows:

46 17. **[Every]** a. (1) A person operating a bicycle upon a roadway
47 shall ride as near to the right side of the roadway as practicable,

1 exercising due care when passing a standing vehicle or one
2 proceeding in the same direction; provided, however, that **any** the
3 person may move to the left under any of the following situations:

- 4 (a) to make a left turn from a left-turn lane or pocket;
5 (b) to avoid debris, drains or other hazardous conditions that
6 make it impracticable to ride at the right side of the roadway;
7 (c) to pass a slower moving vehicle;
8 (d) to occupy any available lane when traveling at the same
9 speed as other traffic;
10 (e) to travel no more than two abreast when traffic is not
11 impeded.

12 **Persons riding bicycles** (2) A person riding a bicycle upon a
13 roadway may travel no more than two abreast when traffic is not
14 impeded, but otherwise shall ride in single file except on paths or
15 parts of roadways set aside for the exclusive use of bicycles.

16 b. (1) A person operating a bicycle shall not operate the
17 bicycle on a sidewalk intended primarily for pedestrian use, except
18 that: a municipality or county having jurisdiction over the sidewalk
19 may pass an ordinance that allows bicycles to be operated on the
20 sidewalk; and a State agency having jurisdiction over the sidewalk
21 may allow the operation of bicycles on the sidewalk.

22 (2) Any State agency, municipality, or county that allows the
23 operation of bicycles on a sidewalk under its jurisdiction shall
24 provide appropriate signage indicating that bicycles may be
25 operated on the sidewalk.¹

26 (cf: P.L.1983, c.257, s.1)

27

28 ¹**[3.] 5.**¹ This act shall take effect immediately.