

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, Nos. 5570, 5571, 5579, and 5656

STATE OF NEW JERSEY

DATED: JUNE 2, 2021

The Assembly Law and Public Safety Committee reports favorably an Assembly Committee Substitute for Assembly Bill Nos. 5570, 5571, 5579, and 5656.

This Assembly committee substitute requires motorists to take certain safety precautions when they are overtaking pedestrians, bicyclists, or scooter riders on this State's roadways.

The committee substitute specifically requires motor vehicle operators to approach with due caution any pedestrian, bicycle, low-speed electric bicycle, low-speed electric scooter, or other lawful personal conveyance located in the appropriate area designated for the pedestrian or conveyance. Absent other directions by a law enforcement officer, the motor vehicle operator, if possible, is to either change into a lane that is not adjacent to the pedestrian, bicycle, or scooter, or leave a reasonable and safe distance of not less than four feet while approaching the pedestrian, bicycle, or scooter until the operator can pass the pedestrian or conveyance. If these options are not possible, are prohibited by law, or are unsafe, the motor vehicle operator is required to reduce the speed of the motor vehicle to 25 miles per hour and be prepared to stop. The motor vehicle operator is authorized to pass the pedestrian, bicyclist, or scooter rider only if passing will not endanger the safety of any person on the roadway, including pedestrians, bicyclists, scooter riders, and motorists. In making the determination to pass, the committee substitute requires the motor vehicle operator to consider the size and speed of the motor vehicle, traffic conditions, weather, visibility, and the surface and width of the roadway,

A person who commits a violation of the provisions of the committee substitute which results in bodily injury is to be fined \$500 and assessed two motor vehicle penalty points. Otherwise, the violator is to be fined \$100, but is not to be assessed any penalty points.

Under the committee substitute, "pedestrian" includes a person afoot, a person in a wheelchair or motorized wheelchair, a person employed by or who contracts with any public utility company in this State, a property maintenance worker, or any other person who is permitted by law to be upon the roadway for work or recreation.