

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY, Nos. 5570, 5571, 5579, and  
5656

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

ADOPTED JUNE 2, 2021

**Sponsored by:**

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**District 5 (Camden and Gloucester)**

**Co-Sponsored by:**

**Assemblyman Verrelli, Assemblywomen Vainieri Huttle, Dunn,  
Timberlake, Lopez, Senators Gill, Turner and Codey**

**SYNOPSIS**

Requires certain actions by motor vehicle operators when overtaking or passing pedestrians, bicycles, or scooters.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Assembly Law and Public Safety Committee.

(Sponsorship Updated As Of: 6/30/2021)

1 AN ACT concerning motor vehicles overtaking certain pedestrians,  
2 bicyclists, and scooter riders and supplementing Title 39 of the  
3 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" shall have the same meaning as set forth in R.S.39:4-  
10 14.5.

11 "Low-speed electric bicycle" shall have the same meaning as set  
12 forth in R.S.39:1-1.

13 "Low-speed electric scooter" shall have the same meaning as set  
14 forth in R.S.39:1-1.

15 "Pedestrian" shall include, but not be limited to, a pedestrian as  
16 defined in R.S.39:1-1, a person in a wheelchair or motorized  
17 wheelchair as defined in R.S.39:1-1, a person employed by or who  
18 contracts with any public utility company in this State, a property  
19 maintenance worker, or any other person who is permitted by law to  
20 be upon the roadway for work or recreation.

21 b. The operator of a motor vehicle approaching a pedestrian,  
22 bicycle, low-speed electric bicycle, low-speed electric scooter, or  
23 any other lawful personal conveyance located or operating in an  
24 area designated for pedestrians or those conveyances, as  
25 appropriate, on the roadways of this State shall approach with due  
26 caution and shall, absent any other direction by a law enforcement  
27 officer, proceed as follows:

28 (1) when possible under existing safety and traffic conditions,  
29 make a lane change into a lane not adjacent to the pedestrian or  
30 personal conveyance;

31 (2) if a lane change cannot be made pursuant to paragraph (1) of  
32 this subsection, leave a reasonable and safe distance of not less than  
33 four feet while approaching the pedestrian or personal conveyance  
34 and maintain a distance of at least four feet until the motor vehicle  
35 has safely passed the conveyance; or

36 (3) if it is not possible, prohibited by law, or unsafe to make a  
37 lane change pursuant to paragraph (1) of this subsection or to leave  
38 a reasonable and safe distance of not less than four feet pursuant to  
39 paragraph (2) of this subsection, the motor vehicle operator shall  
40 reduce the speed of the motor vehicle to 25 miles per hour or a  
41 lower posted speed and be prepared to stop; the operator may pass  
42 the pedestrian or personal conveyance only if, considering the size  
43 and speed of the motor vehicle, traffic conditions, weather,  
44 visibility, and the surface and width of the roadway, passing does  
45 not endanger the safety of a pedestrian, operator of the personal  
46 conveyance, or any other person on the roadway.

47 c. A person who commits a violation of the provisions of this  
48 section which results in bodily injury as defined in N.J.S.2C:11-1

- 1 shall be fined \$500 and assessed two motor vehicle penalty points;  
2 if no bodily injury results, the violator shall be fined \$100 and shall  
3 not be assessed any penalty points.
- 4 d. Nothing in this section shall be construed to preclude or  
5 limit a prosecution or conviction for a violation of any offense  
6 defined by the laws of this State or for any violation of Title 39 of  
7 the Revised Statutes.
- 8
- 9 2. This act shall take effect on the first day of the seventh  
10 month following enactment.