

SENATE, No. 3173

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED NOVEMBER 12, 2020

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Permits operation of pedicabs and alcoholic beverage consumption by passengers of pedicabs in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/9/2021)

1 AN ACT concerning pedicabs, amending R.S.39:1-1, and
2 supplementing Title 39 of the Revised Statutes.

3

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

6

7 1. (New section) a. A pedicab operator shall be permitted to
8 operate a pedicab under the following conditions:

9 (1) operation of a pedicab is authorized by ordinance adopted by
10 the governing body of the municipality in which the pedicab
11 operates;

12 (2) the pedicab operator shall be at least 21 years of age and shall
13 possess a valid driver's license issued by New Jersey or another
14 state;

15 (3) the pedicab shall be equipped with seatbelts for all
16 passengers, seat backs, brakes, reflectors, a headlight, and grab
17 rails;

18 (4) the owner of the pedicab shall maintain a general liability
19 insurance policy in a minimum amount of \$500,000 of coverage per
20 accident;

21 (5) the pedicab operator shall not operate the pedicab on any
22 highway with a posted speed limit in excess of 30 miles per hour,
23 except to cross the highway at an intersection;

24 (6) the pedicab operator shall operate a pedicab as close as
25 practicable to the right-hand curb or edge of the roadway, except
26 when necessary to overtake another vehicle, to avoid a stationary
27 object, or when preparing to make a left turn; and

28 (7) the pedicab owner, pedicab operator, and pedicab meet any
29 other requirements as may be required by ordinance adopted by the
30 governing body of the municipality in which the pedicab operates ,
31 except that a municipality shall not restrict a pedicab operator from
32 permitting the consumption of alcoholic beverages in accordance
33 with subsection b. of this subsection.

34 b. A pedicab operator authorized to operate a pedicab in
35 accordance with subsection a. of this section may permit the
36 consumption of alcoholic beverages by passengers of the pedicab
37 under the following conditions:

38 (1) the operator of the pedicab does not consume alcoholic
39 beverages while operating the pedicab;

40 (2) each passenger of the pedicab is at least 21 years of age;

41 (3) alcoholic beverages are limited to single-serving sealed
42 containers of: beer; wine; hard cider; mead; other malt beverages;
43 other fermented beverages, such as hard seltzer and hard tea; and
44 prepared mixed beverages made with spirits;

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.

1 (4) the owner or operator of the pedicab does not sell or offer for
2 sale to passengers food, alcoholic beverages, or any other liquid
3 refreshments; and

4 (5) the pedicab is equipped with as many waste receptacles as
5 necessary to permit each passenger to reach a waste receptacle
6 while seated.

7

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

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

45 "Commission" means the New Jersey Motor Vehicle
46 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-
47 4).

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

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

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

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

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

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

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

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

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

40 "Flammable liquid" means any liquid having a flash point below
41 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
42 pounds.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39 "Low-speed electric bicycle" means a two or three-wheeled
40 vehicle with fully operable pedals and an electric motor of less than
41 750 watts, that meets the requirements of one of the following
42 classifications: "class 1 low-speed electric bicycle" which means a
43 low-speed electric bicycle equipped with a motor that provides
44 assistance only when the rider is pedaling, and that ceases to
45 provide assistance when the bicycle reaches the speed of 20 miles
46 per hour; or "class 2 low-speed electric bicycle" which means a
47 low-speed electric bicycle equipped with a motor that may be used
48 exclusively to propel the bicycle, and that is not capable of

1 providing assistance when the bicycle reaches the speed of 20 miles
2 per hour.

3 "Low-speed electric scooter" means a scooter with a floorboard
4 that can be stood upon by the operator, with handlebars, and an
5 electric motor that is capable of propelling the device with or
6 without human propulsion at a maximum speed of less than 19
7 miles per hour.

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

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

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

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

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

27 "Motorized bicycle" means a pedal bicycle having a helper motor
28 characterized in that either the maximum piston displacement is less
29 than 50 cc. or said motor is rated at no more than 1.5 brake
30 horsepower or is powered by an electric drive motor and said
31 bicycle is capable of a maximum speed of no more than 25 miles
32 per hour on a flat surface or a pedal bicycle having an electric motor
33 that is capable of propelling the bicycle in excess of 20 miles per
34 hour with a maximum motor-powered speed of no more than 28
35 miles per hour on a flat surface. This term shall not include a low-
36 speed electric bicycle or low-speed electric scooter as defined in
37 this section.

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

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

47 "Motor vehicle" includes all vehicles propelled otherwise than by
48 muscular power, excepting such vehicles as run only upon rails or

1 tracks, low-speed electric bicycles, low-speed electric scooters, and
2 motorized bicycles.

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

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

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

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

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

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

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

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

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

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

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

8 "Pedestrian" means a person afoot.

9 "Pedicab" means a wheeled device that: (1) contains three or
10 more wheels; (2) is designed to transport passengers and be
11 propelled by human power using pedals; (3) is designed to
12 accommodate no more than 15 passengers in addition to the driver;
13 and (4) is operated for hire.

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

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

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

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

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

30 "REAL ID basic driver's license" means a basic driver's license
31 issued by the commission that complies with the provisions of the
32 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
33 supplementary thereto, and any federal regulations adopted
34 thereunder.

35 "REAL ID identification card" means an identification card
36 issued by the commission that complies with the provisions of the
37 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
38 supplementary thereto, and any federal regulations adopted
39 thereunder.

40 "REAL ID license" means any license to operate a motor vehicle
41 issued by the commission that complies with the provisions of the
42 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
43 supplementary thereto, and any federal regulations adopted
44 thereunder.

45 "REAL ID motorcycle license" means a motorcycle license
46 issued by the commission that complies with the provisions of the
47 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or

1 supplementary thereto, and any federal regulations adopted
2 thereunder.

3 "REAL ID probationary license" means a probationary license
4 issued by the commission that complies with the provisions of the
5 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or
6 supplementary thereto, and any federal regulations adopted
7 thereunder.

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

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

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

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

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

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

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

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

45 "School Vehicle Type I" means any vehicle designed to transport
46 16 or more passengers, including the driver, used to transport
47 enrolled children, and adults only when serving as chaperones, to or
48 from a school, school connected activity, day camp, summer day

1 camp, summer residence camp, nursery school, child care center,
2 preschool center or other similar places of education. Such vehicle
3 shall comply with the regulations of the New Jersey Motor Vehicle
4 Commission and either the Department of Education or the
5 Department of Human Services, whichever is the appropriate
6 supervising agency.

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

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

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

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

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

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

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

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

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

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

4 "Standard" means, when used to describe any license to operate a
5 motor vehicle or any identification card issued by the commission
6 under the provisions of this Title, that the issuance of the license or
7 identification card does not require proof of lawful presence in the
8 United States.

9 "Street" means the same as highway.

10 "Street car" means a car other than a railroad train, for
11 transporting persons or property and operated upon rails principally
12 within a municipality.

13 "Stop," when required, means complete cessation from
14 movement.

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

19 "Suburban business or residential district" means that portion of
20 highway and the territory contiguous thereto, where within any
21 1,320 feet along that highway there is land in use for business or
22 residential purposes and that land occupies more than 660 feet of
23 frontage on one side or collectively more than 660 feet of frontage
24 on both sides of that roadway.

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

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

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

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

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

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

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

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

4 "Vehicle" means every device in, upon or by which a person or
5 property is or may be transported upon a highway, excepting
6 devices moved by human power or used exclusively upon stationary
7 rails or tracks or low-speed electric bicycles, low-speed electric
8 scooters, or motorized bicycles.

9 (cf: P.L.2019, c.271, s.1)

10
11 3. This act shall take effect on the first day of fourth month
12 next following the date of enactment.

13
14
15 STATEMENT

16
17 This bill regulates the operation of pedicabs in the State and
18 permits passengers of pedicabs to consume alcoholic beverages in
19 certain circumstances.

20 The bill defines a "pedicab" as a wheeled device that: contains
21 three or more wheels; is designed to transport passengers and be
22 propelled by human power using pedals; is designed to
23 accommodate no more than 15 passengers in addition to the driver;
24 and is operated for hire.

25 Under the bill's provisions, a pedicab is permitted to operate
26 under the following conditions:

27 (1) operation of a pedicab is authorized by ordinance adopted by
28 the governing body of the municipality in which the pedicab
29 operates;

30 (2) the pedicab operator is at least 21 years of age and possesses
31 a valid driver's license issued by New Jersey or another state;

32 (3) the pedicab is equipped with seatbelts for all passengers, seat
33 backs, brakes, reflectors, a headlight, and grab rails;

34 (4) the owner of the pedicab maintains a general liability
35 insurance policy in a minimum amount of \$500,000 coverage per
36 accident;

37 (5) the pedicab operator does not operate the pedicab on any
38 highway with a posted speed limit in excess of 30 miles per hour,
39 except to cross the highway at an intersection;

40 (6) the pedicab operator operates the pedicab as close as
41 practicable to the right-hand curb or edge of the roadway, except
42 when necessary to overtake another vehicle, to avoid a stationary
43 object, or when preparing to make a left turn; and

44 (7) the pedicab owner, pedicab operator, and pedicab meet any
45 other requirements as may be required by ordinance adopted by the
46 governing body of the municipality in which the pedicab operates,
47 except that a municipality is not to restrict a pedicab operator from

1 permitting the consumption of alcoholic beverages in accordance
2 with the bill's provisions.

3 The bill further provides that a pedicab operator may permit the
4 consumption of alcoholic beverages by passengers of the pedicab
5 under the following conditions:

6 (1) the operator of the pedicab does not consume alcoholic
7 beverages while operating the pedicab;

8 (2) each passenger of the pedicab is at least 21 years of age;

9 (3) alcoholic beverages are limited to single-serving sealed
10 containers of: beer; wine; hard cider; mead; other malt beverages;
11 other fermented beverages, such as hard seltzer and hard tea; and
12 prepared mixed beverages made with spirits;

13 (4) the owner or operator of the pedicab does not sell or offer for
14 sale to passengers food, alcoholic beverages, or any other liquid
15 refreshments; and

16 (5) the pedicab is equipped with as many waste receptacles as
17 necessary to permit each passenger to reach a waste receptacle
18 while seated.