

ASSEMBLY OVERSIGHT, REFORM AND FEDERAL
RELATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 462

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 7, 2022

The Assembly Oversight, Reform and Federal Relations Committee reports favorably Assembly Bill No. 462, with committee amendments.

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

As amended by the committee, the bill defines a “pedicab” as a wheeled device that: contains three or more wheels; is designed to transport passengers and be propelled by muscular power using pedals; is designed to accommodate no more than 15 passengers in addition to the driver; is operated for hire; and if equipped with a motor, is equipped with an electric motor that meets the classifications of a class 1 or class 2 low-speed electric bicycle. A pedicab would not be considered a motor vehicle or a motorcycle.

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

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

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

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

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

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

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

(7) the pedicab owner, pedicab operator, and pedicab meet any other requirements as may be required by ordinance adopted by the governing body of the municipality in which the pedicab operates,

except that a municipality is not to restrict a pedicab operator from permitting the consumption of alcoholic beverages in accordance with the bill's provisions.

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

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

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

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

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

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

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The amendments change the bill's definition of "pedicab" to provide, among other requirements, that a pedicab is propelled by muscular power and if equipped with a motor, is equipped with an electric motor that meets the classifications of a class 1 or class 2 low-speed electric bicycle. Additionally, the amendments provide that a pedicab is not to be considered a motor vehicle or a motorcycle.