

ASSEMBLY, No. 5579

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

SYNOPSIS

Imposes certain requirements on operators of motor vehicles when overtaking pedestrians, bicycles, and scooters.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning motor vehicles overtaking certain pedestrians,
2 bicycles, and scooters and supplementing Title 39 of the Revised
3 Statutes.

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

7
8 1. a. The operator of a motor vehicle approaching a pedestrian,
9 bicycle, low-speed electric bicycle, low-speed electric scooter, or
10 any other personal conveyance permitted under law shall approach
11 with due caution and shall, absent any other direction by a law
12 enforcement officer, proceed as follows:

13 (1) If possible in the existing safety and traffic conditions, make
14 a lane change into a lane not adjacent to the pedestrian, bicycle,
15 low-speed electric bicycle, low-speed electric scooter, or other
16 personal conveyance permitted under law;

17 (2) Leave a reasonable and safe distance of not less than four
18 feet while approaching the pedestrian, bicycle, low-speed electric
19 bicycle, low-speed electric scooter, or other personal conveyance
20 permitted under law and maintain a distance of at least four feet
21 until the motor vehicle has safely passed the pedestrian, bicycle,
22 low-speed electric bicycle, low-speed electric scooter, or other
23 personal conveyance permitted under law; or

24 (3) If a lane change pursuant to paragraph (1) of this subsection
25 or leaving a reasonable and safe distance of not less than four feet
26 pursuant to paragraph (2) of this subsection is not possible,
27 prohibited by law, or unsafe, the operator of the motor vehicle shall
28 reduce the speed of the motor vehicle to 25 miles per hour and be
29 prepared to stop.

30 b. A person violating the provisions of this section shall be
31 subject to a fine of not less than \$100 or more than \$500.

32 c. As used in this section:

33 “Bicycle” shall have the same meaning as set forth in R.S.39:4-
34 14.5.

35 “Low-speed electric bicycle” shall have the same meaning as set
36 forth in R.S.39:1-1.

37 “Low-speed electric scooter” shall have the same meaning as set
38 forth in R.S.39:1-1.

39 “Pedestrian” shall include, but not be limited to, a pedestrian as
40 defined in R.S.39:1-1, a person in a wheelchair or motorized
41 wheelchair as defined in R.S.39:1-1, a person employed by or who
42 contracts with any public utility company in this State, a property
43 maintenance worker, or any other person who is permitted by law to
44 be upon the roadway for work or recreation.

45
46 2. This act shall take effect on the first day of the seventh
47 month following enactment.

STATEMENT

This bill imposes certain requirements on a motorist when the motorist is overtaking pedestrians, certain bicycles, low-speed electric scooters, and any other personal conveyances permitted under law.

Under the provisions of this bill, the operator of a motor vehicle approaching a pedestrian, bicycle, low-speed electric bicycle, low-speed electric scooter, or other personal conveyance permitted under law is required to approach with due caution and, absent any other direction by a law enforcement officer, proceed as follows: 1) If possible in the existing safety and traffic conditions, make a lane change into a lane not adjacent to the pedestrian, bicycle, low-speed electric bicycle, low-speed electric scooter, or other personal conveyance permitted under law; 2) Leave a reasonable and safe distance of not less than four feet while approaching the pedestrian, bicycle, low-speed electric bicycle, low-speed electric scooter, or other personal conveyance permitted under law and maintain this distance until the motor vehicle has safely passed; or 3) If a lane change or leaving a reasonable and safe distance of at least four feet is not possible, prohibited by law, or unsafe, the operator of the motor vehicle is to reduce the speed of the motor vehicle to 25 miles per hour and be prepared to stop.

A person violating the provisions of this bill is to be subject to a fine of not less than \$100 or more than \$500.

Under the bill, "pedestrian" includes, but is not limited to, a pedestrian as defined under current law, 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.