

E-BIKES, E-SCOOTERS, & BICYCLE CONSIDERATIONS

The first day of Spring is March 19th. This exciting time of year symbolizes the start of nicer weather and of course more outside activities. As people start to enjoy the milder temperatures and outside events, there will be an increase in the use of e-bikes, e-scooters, and bicycles.

As officers monitor the roadways, they need to understand the laws regulating e-bikes, e-scooters, and bicycles.

In May 2019, new vehicle classes were added to Title 39: “Low-speed electric bicycle” and “Low-speed electric scooter.” These new vehicle classes are often referred to as “e-bikes” and “e-scooters.” New Jersey designates three classes of low-speed electric bicycles and one class of low-speed electric scooters. Information about this legislation can be found [here](#).

“Low-speed electric bicycle” means a two or three-wheeled vehicle with fully operable pedals and an electric motor of fewer than 750 watts, which meets the requirements of one of the following classifications:

1. Class 1 Low-speed electric bicycle: This means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to assist when the bicycle reaches the speed of 20 miles per hour.
2. Class 2 Low-speed electric bicycle: This means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle via a throttle-actuated motor and that ceases to assist when the bicycle reaches the speed of 20 miles per hour.
 - Class 1 and 2 e-bikes are regulated like bicycles. The same rules of the road apply to both e-bikes and traditional bicycles.
 - Class 1 and 2 e-bikes are not subject to the registration, licensing, or insurance requirements that apply to motor vehicles.
 - Class 1 and 2 e-bikes may ride on bicycle paths, except that a local government entity or State agency may prohibit the operation of class 1 and 2 e-bikes under its authority.
 - Class 1 and 2 e-bikes can park on sidewalks, so long as they are not blocking public access.
 - Class 1 and 2 e-bike users are still subject to the same traffic laws as bicyclists found within Title 39. These laws include, but are not limited to:
 1. Any individual under the age of 17 must wear a helmet when riding a bicycle or being towed by a bicycle ([39:4-10.1](#)).
 2. Bicycles must be equipped with bells or other audible devices – but not sirens or whistles – which can be heard at least 100 feet away ([39:4-11](#)).

3. Like motorists, bicyclists must keep to the right and ride in a single-file line when on the road ([39:4-10.11](#)).
 4. Bicyclists who ride at night must equip their bikes with front headlamps that emit a white light that can be seen at least 500 feet away and rear lights that emit red light for the same amount of distance. Bikes must have red rear reflectors ([39:4-10](#)).
 5. Bicycles must be equipped with brakes that make their wheels skid when braking on dry, clean pavement ([39:4-11.1](#)).
- A local government can restrict where Class 1 and 2 e-bikes are allowed to ride. Local governments may consider factors such as but not limited to:
 1. Crowded Locations.
 2. Vacation Destinations.
 3. Boardwalks/ Promenades.
 4. Sporting Facilities/ Parks & Playgrounds.
 5. Designated Hours of Operation.
 6. Speed Restrictions.
 7. Injury Prevention.
3. Class 3 Low-speed electric bicycle (Otherwise known as Motorized bicycle): This means a pedal bicycle that has a helper motor characterized that either the maximum piston displacement is less than 50 cc or the motor is rated at no more than 1.5 brake horsepower or is powered by an electric drive motor and the bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface or a pedal bicycle having an electric motor that is capable of propelling the bicycle over 20 miles per hour with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface.
 - A motorized bicycle is not subject to the same rules of the road as traditional bicycles.
 - There is a 15-year age minimum for motorized bicycle use.
 - A helmet is required.
 - Motorized bicycle riders must carry an operator's license and are subject to registration and insurance requirements.
 4. Low-speed electric scooter: This means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor capable of propelling the device with or without human propulsion at a maximum speed of fewer than 19 miles per hour.
 - E-scooters are not subject to the registration, licensing, or insurance requirements that apply to motor vehicles.

- E-scooters must follow all the laws that apply to bicycles.
- E-scooters will be allowed to be parked on sidewalks as long as they do not block pedestrian access.
- Operation on sidewalks and trails is up to local municipalities.

Seek the advice of your agency's attorney when considering and/ or developing ordinances that may restrict the use of these vehicles on sidewalks, promenades, bike trails, and boardwalks.

Law Enforcement use of Bicycles, E-bikes, and E-scooters

Some considerations for the Chief of Police:

1. The need to review and update as necessary policies and procedures to ensure they include the training, maintenance, and use of e-bikes, e-scooters, and bicycles. A sample policy can be found [here](#).
2. Ensure all officers are familiar with New Jersey's Safe Passing Law which provides clear rules of the road for all motorists when interacting with other road users such as people on foot, bicycle, e-bike, e-scooter, etc. Information about this legislation can be found [here](#).
3. The perception of officer's operation of E-bikes compared to the complaints about other E-bike operators received by the agency. Are the officers committing the same offenses?

If you have any questions, please contact your Law Enforcement Risk Control Consultant.