

39:3-10.34 and 17:28-1.3
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2019 **CHAPTER:** 110

NJSA: 39:3-10.34 and 17:28-1.3 (Requires autocycles to be insured by PIP coverage to pedestrians.)

BILL NO: S2720 (Substituted for A4103)

SPONSOR(S) Patrick J. Diegnan and others

DATE INTRODUCED: 6/14/2018

COMMITTEE: **ASSEMBLY:** ---

SENATE: Commerce

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 3/25/2019

SENATE: 3/14/2019

DATE OF APPROVAL: 5/10/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

S2720

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A4103

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH/CL

P.L. 2019, CHAPTER 110, *approved May 10, 2019*
Senate, No. 2720 (*First Reprint*)

1 AN ACT concerning insurance coverage required of autocycles and
2 amending P.L.2016, c.35 and P.L.1983, c.362.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 2 of P.L.2016, c.35 (C.39:3-10.34) is amended to
8 read as follows:

9 2. a. An autocycle shall be registered as a motorcycle pursuant
10 to R.S.39:3-4.

11 b. A person shall not be required to hold a motorcycle license
12 or a motorcycle endorsement to operate an autocycle if the person
13 holds a basic driver's license to operate a motor vehicle pursuant to
14 R.S.39:3-10.

15 c. A person shall not drive, operate, or ride as a passenger in an
16 autocycle without: (1) sitting on a seat; (2) properly using a safety
17 seat belt; and (3) wearing a securely fitted protective helmet
18 pursuant to section 6 of P.L.1967, c.237 (C.39:3-76.7) if required.

19 d. A person operating an autocycle shall not permit a child to
20 be a passenger in the autocycle if the child would be required to be
21 secured in a child passenger restraint system, pursuant to section 1
22 of P.L.1983, c.128 (C.39:3-76.2a).

23 e. An owner or registered owner of an autocycle registered or
24 principally garaged in this State shall maintain motor vehicle
25 liability insurance coverage pursuant to section 1 of P.L.1972, c.197
26 (C.39:6B-1), personal injury protection coverage for pedestrians
27 pursuant to section **[4 of P.L.1972, c.70 (C.39:6A-4)]**
28 19 of P.L. 1983, c.362 (C.17:28-1.3), and uninsured motorist
29 coverage pursuant to section 14 of P.L.1972, c.70 (C.39:6A-14).

30 f. The chief administrator shall adopt rules and regulations
31 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
32 (C.52:14B-1 et seq.), as are necessary to implement this act. The
33 chief administrator may include information on autocycles in the
34 commission's driver's manual and on its Internet website.

35 ¹g. For purposes of this section:

36 "Autocycle" means a three-wheeled motorcycle designed to be
37 controlled with a steering wheel and pedals in which the operator
38 and passenger may ride in a completely or partially enclosed seating
39 area that is equipped with a roll cage or roll hoops, safety seat belts
40 for each occupant, and anti-lock brakes.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted March 4, 2019.

1 “Motorcycle” includes motorcycles, autocycles, motor bikes,
2 bicycles with motor attached and all motor-operated vehicles of the
3 bicycle or tricycle type, except motorized bicycles as defined in this
4 section, whether the motive power be a part thereof or attached
5 thereto and having a saddle or seat with driver sitting astride or
6 upon it or a platform on which the driver stands.

7 “Motorized bicycle” means a pedal bicycle having a helper motor
8 characterized in that either the maximum piston displacement is less
9 than 50 cc. or said motor is rated at no more than 1.5 brake
10 horsepower or is powered by an electric drive motor and said
11 bicycle is capable of a maximum speed of no more than 25 miles
12 per hour on a flat surface.¹

13 (cf: P.L.2016, c.35, s.2)

14
15 2. Section 19 of P.L.1983, c.362 (C.17:28-1.3) is amended to
16 read as follows:

17 19. ¹a. Every liability insurance policy issued in this State on a
18 motor vehicle, exclusive of an automobile as defined in section 2 of
19 P.L. 1972, c.70 (C.39:6A-2), but including a motorcycle and an
20 autocycle, or on a motorized bicycle, insuring against loss resulting
21 from liability imposed by law for bodily injury, death, and property
22 damage sustained by any person arising out of the ownership,
23 operation, maintenance, or use of a motor vehicle or motorized
24 bicycle shall provide personal injury protection coverage benefits,
25 in accordance with section 4 of P.L. 1972, c. 70 (C.39:6A-4), to
26 pedestrians who sustain bodily injury in the State caused by the
27 named insured's motor vehicle or motorized bicycle or by being
28 struck by an object propelled by or from the motor vehicle or
29 motorized bicycle.

30 ¹b. For purposes of this section:

31 “Autocycle” means a three-wheeled motorcycle designed to be
32 controlled with a steering wheel and pedals in which the operator
33 and passenger may ride in a completely or partially enclosed seating
34 area that is equipped with a roll cage or roll hoops, safety seat belts
35 for each occupant, and anti-lock brakes.

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

42 “Motorized bicycle” means a pedal bicycle having a helper motor
43 characterized in that either the maximum piston displacement is less
44 than 50 cc. or said motor is rated at no more than 1.5 brake
45 horsepower or is powered by an electric drive motor and said
46 bicycle is capable of a maximum speed of no more than 25 miles
47 per hour on a flat surface.¹

48 (cf: P.L.1985, c.520, s.19)

S2720 [1R]

3

1 3. This act shall take effect ¹~~【on the 180th day next following~~
2 enactment】 immediately¹ and shall apply to insurance policies on
3 autocycles issued on or after ¹~~【that】~~ the effective¹ date.

4

5

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8 Requires autocycles to be insured for PIP coverage to
9 pedestrians.

SENATE, No. 2720

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED JUNE 14, 2018

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Requires motorcycles to be insured for PIP coverage to pedestrians.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/5/2019)

1 AN ACT concerning insurance coverage required of autocycles and
2 amending P.L.2016, c.35 and P.L.1983, c.362.

3

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

6

7 1. Section 2 of P.L.2016, c.35 (C.39:3-10.34) is amended to
8 read as follows:

9 2. a. An autocycle shall be registered as a motorcycle pursuant
10 to R.S.39:3-4.

11 b. A person shall not be required to hold a motorcycle license
12 or a motorcycle endorsement to operate an autocycle if the person
13 holds a basic driver's license to operate a motor vehicle pursuant to
14 R.S.39:3-10.

15 c. A person shall not drive, operate, or ride as a passenger in an
16 autocycle without: (1) sitting on a seat; (2) properly using a safety
17 seat belt; and (3) wearing a securely fitted protective helmet
18 pursuant to section 6 of P.L.1967, c.237 (C.39:3-76.7) if required.

19 d. A person operating an autocycle shall not permit a child to
20 be a passenger in the autocycle if the child would be required to be
21 secured in a child passenger restraint system, pursuant to section 1
22 of P.L.1983, c.128 (C.39:3-76.2a).

23 e. An owner or registered owner of an autocycle registered or
24 principally garaged in this State shall maintain motor vehicle
25 liability insurance coverage pursuant to section 1 of P.L.1972, c.197
26 (C.39:6B-1), personal injury protection coverage for pedestrians
27 pursuant to section **[4 of P.L.1972, c.70 (C.39:6A-4)]** 19 of P.L.
28 1983, c.362 (C.17:28-1.3), and uninsured motorist coverage
29 pursuant to section 14 of P.L.1972, c.70 (C.39:6A-14).

30 f. The chief administrator shall adopt rules and regulations
31 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
32 (C.52:14B-1 et seq.), as are necessary to implement this act. The
33 chief administrator may include information on autocycles in the
34 commission's driver's manual and on its Internet website.
35 (cf: P.L.2016, c.35, s.2)

36

37 2. Section 19 of P.L.1983, c.362 (C.17:28-1.3) is amended to
38 read as follows:

39 19. Every liability insurance policy issued in this State on a
40 motor vehicle, exclusive of an automobile as defined in section 2 of
41 P.L. 1972, c.70 (C.39:6A-2), but including a motorcycle and an
42 autocycle, or on a motorized bicycle, insuring against loss resulting
43 from liability imposed by law for bodily injury, death, and property
44 damage sustained by any person arising out of the ownership,

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 operation, maintenance, or use of a motor vehicle or motorized
2 bicycle shall provide personal injury protection coverage benefits,
3 in accordance with section 4 of P.L. 1972, c. 70 (C. 39:6A-4), to
4 pedestrians who sustain bodily injury in the State caused by the
5 named insured's motor vehicle or motorized bicycle or by being
6 struck by an object propelled by or from the motor vehicle or
7 motorized bicycle.

8 (cf: P.L.1985, c.520, s.19)

9
10 3. This act shall take effect on the 180th day next following
11 enactment and shall apply to insurance policies on autocycles issued
12 on or after that date.

13

14

15

STATEMENT

16

17 This bill provides that an owner or registered owner of an
18 autocycle registered or principally garaged in this State shall
19 maintain personal injury protection, or "PIP," coverage for
20 pedestrians as part of the insurance coverage required for these
21 vehicles. Additionally, motor vehicle liability insurance and
22 uninsured motorist coverage is already required. This bill changes
23 the current statutory requirement from standard PIP coverage to PIP
24 coverage for pedestrians only, as is the case with other motorcycles
25 and motorized bicycles.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2720

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 4, 2019

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2720.

This bill provides that an owner or registered owner of an autocycle registered or principally garaged in this State shall maintain personal injury protection, or “PIP,” coverage for pedestrians as part of the insurance coverage required for these vehicles. Additionally, motor vehicle liability insurance and uninsured motorist coverage is already required. This bill changes the current statutory requirement from standard PIP coverage to PIP coverage for pedestrians only, as is the case with other motorcycles and motorized bicycles.

As amended and reported, this bill is identical to Assembly Bill No. 4103 (1R).

COMMITTEE AMENDMENTS:

The committee amendments add definitions for “autocycle,” “motorcycle,” and “motorized bicycle” to the provisions of the law amended in the bill to clarify how autocycles are classified as compared to motorcycles and motorized bicycles. These definitions are consistent with the current definitions for those terms in the motor vehicle laws.

The amendments also change the effective date of the bill from 180 days after enactment to immediately. After that date, all insurance policies on autocycles must comply with the bill’s provisions.

ASSEMBLY, No. 4103

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 4, 2018

Sponsored by:

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

SYNOPSIS

Requires motorcycles to be insured for PIP coverage to pedestrians.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/29/2019)

1 AN ACT concerning insurance coverage required of autocycles and
2 amending P.L.2016, c.35 and P.L.1983, c.362.

3

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

6

7 1. Section 2 of P.L.2016, c.35 (C.39:3-10.34) is amended to
8 read as follows:

9 2. a. An autocycle shall be registered as a motorcycle pursuant
10 to R.S.39:3-4.

11 b. A person shall not be required to hold a motorcycle license
12 or a motorcycle endorsement to operate an autocycle if the person
13 holds a basic driver's license to operate a motor vehicle pursuant to
14 R.S.39:3-10.

15 c. A person shall not drive, operate, or ride as a passenger in an
16 autocycle without: (1) sitting on a seat; (2) properly using a safety
17 seat belt; and (3) wearing a securely fitted protective helmet
18 pursuant to section 6 of P.L.1967, c.237 (C.39:3-76.7) if required.

19 d. A person operating an autocycle shall not permit a child to
20 be a passenger in the autocycle if the child would be required to be
21 secured in a child passenger restraint system, pursuant to section 1
22 of P.L.1983, c.128 (C.39:3-76.2a).

23 e. An owner or registered owner of an autocycle registered or
24 principally garaged in this State shall maintain motor vehicle
25 liability insurance coverage pursuant to section 1 of P.L.1972, c.197
26 (C.39:6B-1), personal injury protection coverage for pedestrians
27 pursuant to section **[4 of P.L.1972, c.70 (C.39:6A-4)]** 19 of P.L.
28 1983, c.362 (C.17:28-1.3), and uninsured motorist coverage
29 pursuant to section 14 of P.L.1972, c.70 (C.39:6A-14).

30 f. The chief administrator shall adopt rules and regulations
31 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
32 (C.52:14B-1 et seq.), as are necessary to implement this act. The
33 chief administrator may include information on autocycles in the
34 commission's driver's manual and on its Internet website.
35 (cf: P.L.2016, c.35, s.2)

36

37 2. Section 19 of P.L.1983, c.362 (C.17:28-1.3) is amended to
38 read as follows:

39 19. Every liability insurance policy issued in this State on a
40 motor vehicle, exclusive of an automobile as defined in section 2 of
41 P.L. 1972, c.70 (C.39:6A-2), but including a motorcycle and an
42 autocycle, or on a motorized bicycle, insuring against loss resulting
43 from liability imposed by law for bodily injury, death, and property
44 damage sustained by any person arising out of the ownership,
45 operation, maintenance, or use of a motor vehicle or motorized

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 bicycle shall provide personal injury protection coverage benefits,
2 in accordance with section 4 of P.L. 1972, c. 70 (C. 39:6A-4), to
3 pedestrians who sustain bodily injury in the State caused by the
4 named insured's motor vehicle or motorized bicycle or by being
5 struck by an object propelled by or from the motor vehicle or
6 motorized bicycle.
7 (cf: P.L.1985, c.520, s.19)

8
9 3. This act shall take effect on the 180th day next following
10 enactment and shall apply to insurance policies on autocycles issued
11 on or after that date.

12
13
14 STATEMENT
15

16 This bill provides that an owner or registered owner of an
17 autocycle registered or principally garaged in this State shall
18 maintain personal injury protection, or "PIP," coverage for
19 pedestrians as part of the insurance coverage required for these
20 vehicles. Additionally, motor vehicle liability insurance and
21 uninsured motorist coverage is already required. This bill changes
22 the current statutory requirement from standard PIP coverage to PIP
23 coverage for pedestrians only, as is the case with other motorcycles
24 and motorized bicycles.

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4103

STATE OF NEW JERSEY

DATED: JANUARY 28, 2019

The Assembly Financial Institutions and Insurance Committee reports favorably and with committee amendments Assembly Bill No. 4103.

This bill provides that an owner or registered owner of an autocycle registered or principally garaged in this State shall maintain personal injury protection, or “PIP,” coverage for pedestrians as part of the insurance coverage required for these vehicles. Additionally, motor vehicle liability insurance and uninsured motorist coverage is already required. This bill changes the current statutory requirement from standard PIP coverage to PIP coverage for pedestrians only, as is the case with other motorcycles and motorized bicycles.

COMMITTEE AMENDMENTS

The committee amendments add definitions for “autocycle,” “motorcycle,” and “motorized bicycle” to the provisions of the law amended in the bill to clarify how autocycles are classified as compared to motorcycles and motorized bicycles. These definitions are consistent with the current definitions for those terms in the motor vehicle laws.

The amendments also change the effective date of the bill from 180 days after enactment to immediately. After that date, all insurance policies on autocycles must comply with the bill’s provisions.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

05/10/2019

TRENTON – Today, Governor Phil Murphy signed the following bills and resolutions into law:

A2810 (Greenwald, Murphy/Pou) - Requires active supervision of certain professional and occupational licensing boards.

A4285 (Lopez, Quijano, Armato/Vitale, Singleton) - Requires Commissioner of Health to develop voluntary registry to collect cancer incidence data from firefighters.

A4416 (Swain, Karabinchak, Timberlake/Kean, Greenstein) - Prohibits sale or distribution of products containing asbestos.

A4500 (Verrelli, Mejia, Speight/Ruiz, Greenstein) - Directs NJ State Council on Arts to create and disseminate best practices guide for at-risk youth arts programs; requires council to assist government entities creating programs that adopt best practices.

A4578 (Land, Andrzejczak, McKeon/Smith, Greenstein) - Makes supplemental appropriation of \$50 million from General Fund to DEP and adds language provisions concerning use of certain environmental settlement monies for natural resource restoration projects.

A4612 (Jimenez, Mejia, Giblin/Cryan) - Codifies State-specific exam requirement for land surveyor license.

A4799 (Lopez, Coughlin, Benson/Vitale, Ruiz) - Permits self-administration of hydrocortisone sodium succinate by students for adrenal insufficiency and requires that school districts and nonpublic schools establish policy for emergency administration of medication.

A5034 (Pinkin/Smith) - Authorizes sale and conveyance of certain State-owned real property in Stafford Township, Ocean County to US Fish and Wildlife Service.

S52 (Singleton, Gill/Caputo, Webber, Murphy) - Requires disclosure of breach of security of online account.

S455 (Addiego, Singleton/Murphy, Dancer, Rooney) - Requires disclosure of identifying information prior to sale of horse at auction.

S515 (Kean, Sarlo/Munoz, Johnson, Bucco) - Exempts sales of certain materials used in industrial sand casting processes from sales and use tax.

S542 (Oroho, Singleton/Tucker, Wirths, Space) - Designates High Point State Park as High Point State Park and New Jersey Veterans Memorial.

S604 (Smith/Pinkin) - Provides that electric power supplier license issued by BPU may be renewed without expiring if certain conditions are met.

S605 (Smith/Pinkin, McKeon) - Provides that natural gas supplier license issued by BPU may be renewed without expiring if certain conditions are met.

S875 (Sweeney, Greenstein/Vainieri Huttle, Munoz, Murphy) - Establishes the "Sexual Assault Victim's Bill of Rights."

S1729 (Thompson, Quijano/Jones, Barclay) - Designates Streptomyces griseus as New Jersey State Microbe.

S2676 (Bucco, Lagana/Schaer, Calabrese, Tully) - Requires boards of education and nonpublic schools to provide law enforcement authorities with copies of blueprints and maps of schools and school grounds.

S2707 (Ruiz, Madden/Lampitt, Vainieri Huttle, Armato) - Establishes task force within DOE on prevention of sexual abuse of children.

S2709 (Ruiz, Madden/Mukherji, Lampitt, Chiaravalloti, Vainieri Huttle, Armato) - Provides that certain persons who commit act of sexual penetration or sexual contact with students who are at least 18 but less than 22 years old are guilty of sexual assault or criminal sexual assault.

S2711 (Ruiz, Madden/Lampitt, Vainieri Huttle, Jones) - Mandates child abuse and sexual abuse training for all candidates for teaching certification.

S2720 (Diegnan, Scutari/Johnson, Quijano, Murphy) - Requires autocycles to be insured by PIP coverage to pedestrians.

SJR101 (Gopal/Pintor Marin, Houghtaling, Downey) - Designates March 15 of each year as Peter Francisco Day in New Jersey.

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