

39:1-1

11/7/75

LEGISLATIVE FACT SHEET

on Motorized Bicycles; "MOPEL" definition

N.J.R.S. 39:1-1
39:4-14.3

(1975 Amendment)

LAWS OF 1975

CHAPTER 250 10/31/75

SENATE BILL

ASSEMBLY BILL 1071 (3RD OCR)

INTRODUCED Jan. 31, 1974

BY Froude et al.

SPONSOR'S STATEMENT

NO

ASSEMBLY COMMITTEE STATEMENT

YES

locus citatus

SENATE COMMITTEE STATEMENT

YES

FISCAL NOTE

YES

AMENDED DURING PASSAGE

YES

HEARING None discovered

VETO

Gov's Press Release

JA/PC
11/7/75

CHAPTER 250 LAWS OF N. J. 1975

APPROVED 10-31-75

[THIRD OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1071

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1974

By Assemblymen FROUDE, OTLOWSKI, PATERO, BARBOUR,
HAMILTON, KARCHER, BORNHEIMER, DEVERIN and
NEWMAN

Referred to Committee on Transportation and Public Utilities

AN ACT concerning ****[motor vehicles]**** ***motorized bicycles***,
amending R. S. 39:1-1 and supplementing Title 39 of the Revised
Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

2 39:1-1. As used in this subtitle, unless other meaning is clearly
3 apparent from the language or context, or unless inconsistent with
4 the manifest intention of the Legislature:

5 "Alley" means a public highway wherein the roadway does not
6 exceed 12 feet in width.

7 "Authorized emergency vehicles" means vehicles of the fire
8 department, police vehicles and such ambulances and other vehicles
9 as are approved by the Director of the Division of Motor Vehicles
10 in the Department of Law and Public Safety when operated in
11 response to an emergency call.

12 "Automobile" includes all motor vehicles except motorcycles.

13 "Berm" means that portion of the highway exclusive of roadway
14 and shoulder, bordering the shoulder but not to be used for vehi-
15 ular travel.

16 "Business district" means that portion of a highway and the
17 territory contiguous thereto, where within any 600 feet along such
18 highway there are buildings in use for business or industrial pur-
19 poses, including but not limited to hotels, banks, office buildings,
20 railroad stations, and public buildings which occupy at least 300
21 feet of frontage on one side or 300 feet collectively on both sides
22 of the roadway.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

23 "Commercial motor vehicle" includes every type of motor-driven
24 vehicle used for commercial purposes on the highways, such as the
25 transportation of goods, wares and merchandise, excepting such
26 vehicles as are run only upon rails or tracks and vehicles of the
27 passenger car type used for touring purposes or the carrying of
28 farm products and milk, as the case may be.

29 "Commissioner" means the Director of the Division of Motor
30 Vehicles in the Department of Law and Public Safety of this State.

31 "Crosswalk" means that part of a highway at an intersection
32 included within the connections of the lateral lines of the sidewalks
33 on opposite sides of the highway measured from the curbs or, in the
34 absence of curbs, from the edges of the shoulder or, if none, from
35 the edges of the roadway; also, any portion of a highway at an
36 intersection or elsewhere distinctly indicated for pedestrian cross-
37 ing by lines or other marking on the surface.

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

41 "Department" means the Division of Motor Vehicles in the
42 Department of Law and Public Safety of this State acting directly
43 or through its duly authorized officers or agents.

44 "Deputy commissioner" means deputy director of the Division
45 of Motor Vehicles in the Department of Law and Public Safety.

46 "Deputy director" means deputy director of the Division of
47 Motor Vehicles in the Department of Law and Public Safety.

48 "Director" means the Director of the Division of Motor Vehicles
49 in the Department of Law and Public Safety.

50 "Division" means the Division of Motor Vehicles in the Depart-
51 ment of Law and Public Safety acting directly or through its duly
52 authorized officers or agents.

53 "Driver" means the rider or driver of a horse, bicycle or motor-
54 cycle or the driver or operator of a motor vehicle, unless otherwise
55 specified.

56 "Explosives" means any chemical compound or mechanical
57 mixture that is commonly used or intended for the purpose of
58 producing an explosion and which contains any oxidizing and com-
59 bustive units or other ingredients in such proportions, quantities,
60 or packing that an ignition by fire, by friction, by concussion, by
61 percussion, or by detonator of any part of the compound or mixture
62 may cause such a sudden generation of highly heated gases that the
63 resultant gaseous pressures are capable of producing destructive
64 effects on contiguous objects or of destroying life or limb.

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

68 "Flammable liquid" means any liquid having a flash point below
69 200° Fahrenheit, and a vapor pressure not exceeding 40 pounds.

70 "Gross weight" means the combined weight of a vehicle and any
71 load thereon.

72 "Highway" means the entire width between the boundary lines
73 of very way publicly maintained when any part thereof is open to
74 the use of the public for purposes of vehicular travel.

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

77 "Inside lane" means the lane nearest the center line of the road-
78 way.

79 "Intersection" means the area embraced within the prolongation
80 of the lateral curb lines or, if none, the lateral boundary lines of 2
81 or more highways which join one another at an angle, whether or
82 not one such highway crosses another.

83 "Laned roadway" means a roadway which is divided into 2 or
84 more clearly marked lanes for vehicular traffic.

85 "Limited-access highway" means every highway, street, or road-
86 way in respect to which owners or occupants of abutting lands and
87 other persons have no legal right of access to or from the same
88 except at such points only and in such manner as may be determined
89 by the public authority having jurisdiction over such highway,
90 street, or roadway; and includes any highway designated as a
91 "freeway" or "parkway" by authority of law.

92 "Local authorities" means every county, municipal and other
93 local board or body having authority to adopt local police regula-
94 tions under the constitution and laws of this State, including every
95 county board of chosen freeholders with relation to county roads.

96 "Magistrate" means any municipal court, county district court,
97 criminal judicial district court, County Court and the Superior
98 Court, and any officer having the powers of a committing magis-
99 trate and the Director of the Division of Motor Vehicles in the
100 Department of Law and Public Safety.

101 "Manufacture" means a person engaged in the business of
102 manufacturing or assembling motor vehicles, who will, under
103 normal business conditions during the year, manufacture or
104 assemble at least 10 new motor vehicles.

105 "Metal tire" means every tire the surface of which in contact
106 with the highway is wholly or partly of metal or other hard non-
107 resilient material.

108 ******["*Moped*"] means a pedal bicycle having two tandem wheels,
 109 either of which is over 20 inches in diameter, and having a helper
 110 motor, characterized in that the maximum piston displacement is
 111 less than 50 cc., and that the maximum speed does not exceed 20
 112 miles per hour, when newly built.]****** ******"*Motorized bicycle*" means

112A a pedal bicycle having a helper motor characterized in that the
 112B maximum piston displacement is less than 50 cc. rated no more
 112C than 1.5 brake horsepower and capable of a maximum speed of
 112D no more than 25 miles per hour.******

113 "Motorcycle" includes motorcycles, motor bikes, bicycles with
 114 motor attached, and all motor operated vehicles of the bicycle or
 115 tricycle type, having a piston displacement of 50 cc. or more ******rated
 116 in excess of 1.5 brake horsepower****** and capable of maximum speeds
 117 in excess of ******[20]****** ******25****** miles-per-hour, whether the motive
 118 power be a part thereof or attached thereto and having a saddle
 119 or seat with driver sitting astride or upon it, or a platform on
 119A which the driver stands.

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

122 "Motor vehicle" includes all vehicles propelled otherwise than
 123 by muscular power, excepting such vehicles as run only upon rails
 124 or tracks ******and motorized bicycles******.

125 "Noncommercial truck" means every motor vehicle designed
 126 primarily for transportation of property, and which is not a
 127 "commercial vehicle."

128 "Official traffic control devices" means all signs, signals, mark-
 129 ings, and devices not inconsistent with this subtitle placed or erected
 130 by authority of a public body or official having jurisdiction, for the
 131 purpose of regulating, warning, or guiding traffic.

132 "Omnibus" includes all motor vehicles used for the transporta-
 133 tion of passengers for hire, except school buses if the same are not
 134 otherwise used in the transportation of passengers for hire.

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

137 "Outside lane" means the lane nearest the curb or outer edge of
 138 the roadway.

139 "Owner" means a person who holds the legal title of a vehicle, or
 140 if a vehicle is the subject of an agreement for the conditional sale or
 141 lease thereof with the right of purchase upon performance of the
 142 conditions stated in the agreement and with an immediate right of
 143 possession vested in the conditional vendee or lessee, or if a
 144 mortgagor of a vehicle is entitled to possession, then the conditional

145 vendee, lessee or mortgagor shall be deemed the owner for the
146 purpose of this subtitle.

147 "Parking" means the standing or waiting on a street, road or
148 highway of a vehicle not actually engaged in receiving or discharg-
149 ing passengers or merchandise, unless in obedience to traffic regu-
150 lations or traffic signs or signals.

151 "Passenger automobile" means all automobiles used and
152 designed for the transportation of passengers, other than omni-
153 buses and school buses.

154 "Pedestrian" means a person afoot.

155 "Person" includes natural persons, firms, copartnerships,
156 associations, and corporations.

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

159 "Pole trailer" means every vehicle without motive power
160 designed to be drawn by another vehicle and attached to the towing
161 vehicle by means of a reach, or pole, or by being boomed or other-
162 wise secured to the towing vehicle, and ordinarily used for trans-
163 porting long or irregularly shaped loads such as poles, pipes, or
164 structural members capable, generally, of sustaining themselves as
165 beams between the supporting connections.

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

168 "Railroad train" means a steam engine, electric or other motor,
169 with or without cars coupled thereto, operated upon rails, except
170 street cars.

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

176 "Right of way" means the privilege of the immediate use of the
177 highway.

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

182 "Roadway" means that portion of a highway improved,
183 designed, or ordinarily used for vehicular travel, exclusive of the
184 berm or shoulder. In the event a highway includes two or more
185 separate roadways the term "roadway" as used herein shall refer
186 to any such roadway separately, but not to all such roadways,
187 collectively.

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

192 "School bus" means every motor vehicle operated by, or under
193 contract with, a public or governmental agency, or religious or
194 other charitable organization or corporation, or privately operated
195 for compensation for the transportation of children to or from
196 school for secular or religious education which complies with the
197 regulations of the Department of Education affecting school buses
198 ***including "School Vehicle Type I" and "School Vehicle Type
199 II" as defined below:

200 "School Vehicle Type I" means any vehicle with a seating
201 capacity of 17 or more, used to transport enrolled children, and
202 adults only when serving as chaperones, to or from a school, school
203 connected activity, day camp, summer day camp, nursery school,
204 child care center, preschool center or other similar places of edu-
205 cation. Such vehicle must comply with the regulations of the Divi-
206 sion of Motor Vehicles and either the Department of Education or
207 the Department of Institutions and Agencies whichever is the
208 appropriate supervising agency.

209 "School Vehicle Type II" means any vehicle with a seating
210 capacity of 16 or less, used to transport enrolled children, and
211 adults only when serving as chaperones, to or from a school, school
212 connected activity, day camp, summer day camp, nursery school,
213 child care center, preschool center or other similar places of edu-
214 cation. Such vehicle must comply with the regulations of the Divi-
215 sion of Motor Vehicles and either the Department of Education or
216 the Department of Institutions and Agencies whichever is the
217 appropriate supervising agency***.

218 "School zone" means that portion of a highway which is either
219 contiguous to territory occupied by a school building or is where
220 school crossings are established in the vicinity of a school, upon
221 which are maintained appropriate "school signs" in accordance
222 with specifications adopted by the director and in accordance with
223 law.

224 "School crossing" means that portion of a highway where
225 school children are required to cross the highway in the vicinity of
226 a school.

227 "Semitrailer" means every vehicle with or without motive
228 power, other than a pole trailer, designed for carrying persons or
229 property and for being drawn by a motor vehicle and so constructed

230 that some part of its weight and that of its load rests upon or is
231 carried by another vehicle.

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

235 "Sidewalk" means that portion of a highway intended for the
236 use of pedestrians, between the curb line or the lateral line of a
237 shoulder, or if none, the lateral line of the roadway, and the
238 adjacent right of way line.

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

240 "Slow moving vehicle" means a vehicle run at a speed less than
241 the maximum speed then and there permissible.

242 "Solid tire" means every tire of rubber or other resilient
243 material which does not depend upon compressed air for the
244 support of the load.

245 "Street" means the same as highway.

246 "Street car" means a car other than a railroad train for trans-
247 porting persons or property and operated upon rails principally
248 within a municipality.

249 "Stop," when required, means complete cessation from move-
250 ment.

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

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

259 "Trackless trolley" means every motor vehicle which is pro-
260 pelled by electric power obtained from overhead trolley wires but
261 not operated upon rails.

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

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

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

272 "Truck" means every motor vehicle designed, used, or main-
273 tained primarily for the transportation of property.

274 "Truck tractor" means every motor vehicle designed and used
275 primarily for drawing other vehicles and not so constructed as to
276 carry a load other than a part of the weight of the vehicle and load
277 so drawn.

278 "Vehicle" means every device in, upon or by which a person or
279 property is or may be transported upon a highway, excepting
280 devices moved by human power or used exclusively upon stationary
281 rails or tracks ***or motorized bicycles***.

1 2. a. ****[Mopeds]**** ***Motorized bicycles*** shall not be used
2 upon interstate and primary highways ***or upon the railroad or
3 right-of-way of an operating railroad*** within the State of New
4 Jersey.

5 b. ****[Mopeds]**** ***Motorized bicycles*** shall not be operated
6 by a person under 15 years of age.

7 c. Regulations applicable to bicycles shall apply whenever a
8 ****[moped]**** ***motorized bicycle*** is operated upon any public
9 road or upon any path set aside for the exclusive use of
10 ****[mopeds]**** ***motorized bicycles***.

1 3. This act shall take effect immediately.

ASSEMBLY, No. 1071

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1974

By Assemblymen FROUDE, OTLOWSKI, PATERO, BARBOUR,
HAMILTON, KARCHER, BORNHEIMER, DEVERIN and
NEWMAN

Referred to Committee on Transportation and Public Utilities

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

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

2 39:1-1. As used in this subtitle, unless other meaning is clearly
3 apparent from the language or context, or unless inconsistent with
4 the manifest intention of the Legislature:

5 "Alley" means a public highway wherein the roadway does not
6 exceed 12 feet in width.

7 "Authorized emergency vehicles" means vehicles of the fire
8 department, police vehicles and such ambulances and other vehicles
9 as are approved by the Director of the Division of Motor Vehicles
10 in the Department of Law and Public Safety when operated in
11 response to an emergency call.

12 "Automobile" includes all motor vehicles except motorcycles.

13 "Berm" means that portion of the highway exclusive of roadway
14 and shoulder, bordering the shoulder but not to be used for vehi-
15 ular travel.

16 "Business district" means that portion of a highway and the
17 territory contiguous thereto, where within any 600 feet along such
18 highway there are buildings in use for business or industrial pur-
19 poses, including but not limited to hotels, banks, office buildings,
20 railroad stations, and public buildings which occupy at least 300
21 feet of frontage on one side or 300 feet collectively on both sides
22 of the roadway.

23 "Commercial motor vehicle" includes every type of motor-driven
24 vehicle used for commercial purposes on the highways, such as the
25 transportation of goods, wares and merchandise, excepting such

26 vehicles as are run only upon rails or tracks and vehicles of the
27 passenger car type used for touring purposes or the carrying of
28 farm products and milk, as the case may be.

29 "Commissioner" means the Director of the Division of Motor
30 Vehicles in the Department of Law and Public Safety of this State.

31 "Crosswalk" means that part of a highway at an intersection
32 included within the connections of the lateral lines of the sidewalks
33 on opposite sides of the highway measured from the curbs or, in the
34 absence of curbs, from the edges of the shoulder or, if none, from
35 the edges of the roadway; also, any portion of a highway at an
36 intersection or elsewhere distinctly indicated for pedestrian cross-
37 ing by lines or other marking on the surface.

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

41 "Department" means the Division of Motor Vehicles in the
42 Department of Law and Public Safety of this State acting directly
43 or through its duly authorized officers or agents.

44 "Deputy commissioner" means deputy director of the Division
45 of Motor Vehicles in the Department of Law and Public Safety.

46 "Deputy director" means deputy director of the Division of
47 Motor Vehicles in the Department of Law and Public Safety.

48 "Director" means the Director of the Division of Motor Vehicles
49 in the Department of Law and Public Safety.

50 "Division" means the Division of Motor Vehicles in the Depart-
51 ment of Law and Public Safety acting directly or through its duly
52 authorized officers or agents.

53 "Driver" means the rider or driver of a horse, bicycle or motor-
54 cycle or the driver or operator of a motor vehicle, unless otherwise
55 specified.

56 "Explosives" means any chemical compound or mechanical
57 mixture that is commonly used or intended for the purpose of
58 producing an explosion and which contains any oxidizing and com-
59 bustive units or other ingredients in such proportions, quantities,
60 or packing that an ignition by fire, by friction, by concussion, by
61 percussion, or by detonator of any part of the compound or mixture
62 may cause such a sudden generation of highly heated gases that the
63 resultant gaseous pressures are capable of producing destructive
64 effects on contiguous objects or of destroying life or limb.

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

68 "Flammable liquid" means any liquid having a flash point below
69 200° Fahrenheit, and a vapor pressure not exceeding 40 pounds.

70 "Gross weight" means the combined weight of a vehicle and any
71 load thereon.

72 "Highway" means the entire width between the boundary lines
73 of very way publicly maintained when any part thereof is open to
74 the use of the public for purposes of vehicular travel.

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

77 "Inside lane" means the lane nearest the center line of the road-
78 way.

79 "Intersection" means the area embraced within the prolongation
80 of the lateral curb lines or, if none, the lateral boundary lines of 2
81 or more highways which join one another at an angle, whether or
82 not one such highway crosses another.

83 "Laned roadway" means a roadway which is divided into 2 or
84 more clearly marked lanes for vehicular traffic.

85 "Limited-access highway" means every highway, street, or road-
86 way in respect to which owners or occupants of abutting lands and
87 other persons have no legal right of access to or from the same
88 except at such points only and in such manner as may be determined
89 by the public authority having jurisdiction over such highway,
90 street, or roadway; and includes any highway designated as a
91 "freeway" or "parkway" by authority of law.

92 "Local authorities" means every county, municipal and other
93 local board or body having authority to adopt local police regula-
94 tions under the constitution and laws of this State, including every
95 county board of chosen freeholders with relation to county roads.

96 "Magistrate" means any municipal court, county district court,
97 criminal judicial district court, County Court and the Superior
98 Court, and any officer having the powers of a committing magis-
99 trate and the Director of the Division of Motor Vehicles in the
100 Department of Law and Public Safety.

101 "Manufacture" means a person engaged in the business of
102 manufacturing or assembling motor vehicles, who will, under
103 normal business conditions during the year, manufacture or
104 assemble at least 10 new motor vehicles.

105 "Metal tire" means every tire the surface of which in contact
106 with the highway is wholly or partly of metal or other hard non-
107 resilient material.

108 "*Moped*" means a pedal bicycle having two tandem wheels, either
109 of which is over 20 inches in diameter, and having a helper motor,

110 *characterized in that the maximum piston displacement is less*
111 *than 50 cc., and that the maximum speed does not exceed 20 miles*
112 *per hour, when newly built.*

113 "Motorcycle" includes motorcycles, motor bikes, bicycles with
114 motor attached, and all motor operated vehicles of the bicycle or
115 tricycle type, *having a piston displacement of 50 cc. or more and*
116 *capable of maximum speeds in excess of 20 miles-per-hour*, whether
117 the motive power be a part thereof or attached thereto and having
118 a saddle or seat with driver sitting astride or upon it, or a platform
119 on which the driver stands.

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

122 "Motor vehicle" includes all vehicles propelled otherwise than
123 by muscular power, excepting such vehicles as run only upon rails
124 or tracks.

125 "Noncommercial truck" means every motor vehicle designed
126 primarily for transportation of property, and which is not a
127 "commercial vehicle."

128 "Official traffic control devices" means all signs, signals, mark-
129 ings, and devices not inconsistent with this subtitle placed or erected
130 by authority of a public body or official having jurisdiction, for the
131 purpose of regulating, warning, or guiding traffic.

132 "Omnibus" includes all motor vehicles used for the transporta-
133 tion of passengers for hire, except school buses if the same are not
134 otherwise used in the transportation of passengers for hire.

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

137 "Outside lane" means the lane nearest the curb or outer edge of
138 the roadway.

139 "Owner" means a person who holds the legal title of a vehicle, or
140 if a vehicle is the subject of an agreement for the conditional sale or
141 lease thereof with the right of purchase upon performance of the
142 conditions stated in the agreement and with an immediate right of
143 possession vested in the conditional vendee or lessee, or if a
144 mortgagor of a vehicle is entitled to possession, then the conditional
145 vendee, lessee or mortgagor shall be deemed the owner for the
146 purpose of this subtitle.

147 "Parking" means the standing or waiting on a street, road or
148 highway of a vehicle not actually engaged in receiving or discharg-
149 ing passengers or merchandise, unless in obedience to traffic regu-
150 lations or traffic signs or signals.

151 "Passenger automobile" means all automobiles used and
152 designed for the transportation of passengers, other than omni-
153 buses and school buses.

154 "Pedestrian" means a person afoot.

155 "Person" includes natural persons, firms, copartnerships,
156 associations, and corporations.

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

159 "Pole trailer" means every vehicle without motive power
160 designed to be drawn by another vehicle and attached to the towing
161 vehicle by means of a reach, or pole, or by being boomed or other-
162 wise secured to the towing vehicle, and ordinarily used for trans-
163 porting long or irregularly shaped loads such as poles, pipes, or
164 structural members capable, generally, of sustaining themselves as
165 beams between the supporting connections.

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

168 "Railroad train" means a steam engine, electric or other motor,
169 with or without cars coupled thereto, operated upon rails, except
170 street cars.

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

176 "Right of way" means the privilege of the immediate use of the
177 highway.

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

182 "Roadway" means that portion of a highway improved,
183 designed, or ordinarily used for vehicular travel, exclusive of the
184 berm or shoulder. In the event a highway includes two or more
185 separate roadways the term "roadway" as used herein shall refer
186 to any such roadway separately, but not to all such roadways,
187 collectively.

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

192 "School bus" means every motor vehicle operated by, or under
193 contract with, a public or governmental agency, or religious or
194 other charitable organization or corporation, or privately operated
195 for compensation for the transportation of children to or from
196 school for secular or religious education which complies with the

197 regulations of the Department of Education affecting school buses.
198 "School zone" means that portion of a highway which is either
199 contiguous to territory occupied by a school building or is where
200 school crossings are established in the vicinity of a school, upon
201 which are maintained appropriate "school signs" in accordance
202 with specifications adopted by the director and in accordance with
203 law.

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

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

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

214 "Sidewalk" means that portion of a highway intended for the use
215 of pedestrians, between the curb line or the lateral line of a shoulder,
216 or if none, the lateral line of the roadway, and the adjacent right of
217 way line.

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

219 "Slow moving vehicle" means a vehicle run at a speed less than
220 the maximum speed then and there permissible.

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222 material which does not depend upon compressed air for the
223 support of the load.

224 "Street" means the same as highway.

225 "Street car" means a car other than a railroad train for trans-
226 porting persons or property and operated upon rails principally
227 within a municipality.

228 "Stop," when required, means complete cessation from move-
229 ment.

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

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

238 "Trackless trolley" means every motor vehicle which is propelled
239 by electric power obtained from overhead trolley wires but not
240 operated upon rails.

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

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

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

251 "Truck" means every motor vehicle designed, used, or main-
252 tained primarily for the transportation of property.

253 "Truck tractor" means every motor vehicle designed and used
254 primarily for drawing other vehicles and not so constructed as to
255 carry a load other than a part of the weight of the vehicle and load
256 so drawn.

257 "Vehicle" means every device in, upon or by which a person or
258 property is or may be transported upon a highway, excepting
259 devices moved by human power or used exclusively upon stationary
260 rails or tracks.

1-2 2. a. Mopeds shall not be used upon interstate and primary high-
3 ways within the State of New Jersey.

4 b. Mopeds shall not be operated by a person under 15 years of age.

5 c. Regulations applicable to bicycles shall apply whenever a
6 moped is operated upon any public road or upon any path set aside
7 for the exclusive use of mopeds.

1 3. This act shall take effect immediately.

FISCAL NOTE TO
ASSEMBLY, No. 1071
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: JULY 18, 1974

The Official Copy Reprint of Assembly Bill No. 1071 regulates and defines "mopeds".

The Department of Law and Public Safety states that no dollar estimate can be made since this bill merely defines the term "moped" and subjects their operation to the rights and obligations imposed on bicycle operation under Title 39. It is possible that enforcement expenses and revenues may increase for "moped" operators who violate Title 39 but, at present, there is no experience upon which to base projections.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

ASSEMBLY AMENDMENT TO
ASSEMBLY, No. 1071

STATE OF NEW JERSEY

ADOPTED MAY 6, 1974

Amend page 7, section 2, line 3, after "ways", insert "or upon the railroad or right-of-way of an operating railroad".

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 1071

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1974

By Assemblymen FROUDE, OTLOWSKI, PATERO, BARBOUR,
HAMILTON, KARCHER, BORNHEIMER, DEVERIN and
NEWMAN

Referred to Committee on Transportation and Public Utilities

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

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

2 39:1-1. As used in this subtitle, unless other meaning is clearly
3 apparent from the language or context, or unless inconsistent with
4 the manifest intention of the Legislature:

5 "Alley" means a public highway wherein the roadway does not
6 exceed 12 feet in width.

7 "Authorized emergency vehicles" means vehicles of the fire
8 department, police vehicles and such ambulances and other vehicles
9 as are approved by the Director of the Division of Motor Vehicles
10 in the Department of Law and Public Safety when operated in
11 response to an emergency call.

12 "Automobile" includes all motor vehicles except motorcycles.

13 "Berm" means that portion of the highway exclusive of roadway
14 and shoulder, bordering the shoulder but not to be used for vehic-
15 ular travel.

16 "Business district" means that portion of a highway and the
17 territory contiguous thereto, where within any 600 feet along such
18 highway there are buildings in use for business or industrial pur-
19 poses, including but not limited to hotels, banks, office buildings,
20 railroad stations, and public buildings which occupy at least 300
21 feet of frontage on one side or 300 feet collectively on both sides
22 of the roadway.

23 "Commercial motor vehicle" includes every type of motor-driven
24 vehicle used for commercial purposes on the highways, such as the
25 transportation of goods, wares and merchandise, excepting such

26 vehicles as are run only upon rails or tracks and vehicles of the
27 passenger car type used for touring purposes or the carrying of
28 farm products and milk, as the case may be.

29 "Commissioner" means the Director of the Division of Motor
30 Vehicles in the Department of Law and Public Safety of this State.

31 "Crosswalk" means that part of a highway at an intersection
32 included within the connections of the lateral lines of the sidewalks
33 on opposite sides of the highway measured from the curbs or, in the
34 absence of curbs, from the edges of the shoulder or, if none, from
35 the edges of the roadway; also, any portion of a highway at an
36 intersection or elsewhere distinctly indicated for pedestrian cross-
37 ing by lines or other marking on the surface.

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

41 "Department" means the Division of Motor Vehicles in the
42 Department of Law and Public Safety of this State acting directly
43 or through its duly authorized officers or agents.

44 "Deputy commissioner" means deputy director of the Division
45 of Motor Vehicles in the Department of Law and Public Safety.

46 "Deputy director" means deputy director of the Division of
47 Motor Vehicles in the Department of Law and Public Safety.

48 "Director" means the Director of the Division of Motor Vehicles
49 in the Department of Law and Public Safety.

50 "Division" means the Division of Motor Vehicles in the Depart-
51 ment of Law and Public Safety acting directly or through its duly
52 authorized officers or agents.

53 "Driver" means the rider or driver of a horse, bicycle or motor-
54 cycle or the driver or operator of a motor vehicle, unless otherwise
55 specified.

56 "Explosives" means any chemical compound or mechanical
57 mixture that is commonly used or intended for the purpose of
58 producing an explosion and which contains any oxidizing and com-
59 bustive units or other ingredients in such proportions, quantities,
60 or packing that an ignition by fire, by friction, by concussion, by
61 percussion, or by detonator of any part of the compound or mixture
62 may cause such a sudden generation of highly heated gases that the
63 resultant gaseous pressures are capable of producing destructive
64 effects on contiguous objects or of destroying life or limb.

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

68 "Flammable liquid" means any liquid having a flash point below
69 200° Fahrenheit, and a vapor pressure not exceeding 40 pounds.

70 "Gross weight" means the combined weight of a vehicle and any
71 load thereon.

72 "Highway" means the entire width between the boundary lines
73 of very way publicly maintained when any part thereof is open to
74 the use of the public for purposes of vehicular travel.

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

77 "Inside lane" means the lane nearest the center line of the road-
78 way.

79 "Intersection" means the area embraced within the prolongation
80 of the lateral curb lines or, if none, the lateral boundary lines of 2
81 or more highways which join one another at an angle, whether or
82 not one such highway crosses another.

83 "Laned roadway" means a roadway which is divided into 2 or
84 more clearly marked lanes for vehicular traffic.

85 "Limited-access highway" means every highway, street, or road-
86 way in respect to which owners or occupants of abutting lands and
87 other persons have no legal right of access to or from the same
88 except at such points only and in such manner as may be determined
89 by the public authority having jurisdiction over such highway,
90 street, or roadway; and includes any highway designated as a
91 "freeway" or "parkway" by authority of law.

92 "Local authorities" means every county, municipal and other
93 local board or body having authority to adopt local police regula-
94 tions under the constitution and laws of this State, including every
95 county board of chosen freeholders with relation to county roads.

96 "Magistrate" means any municipal court, county district court,
97 criminal judicial district court, County Court and the Superior
98 Court, and any officer having the powers of a committing magis-
99 trate and the Director of the Division of Motor Vehicles in the
100 Department of Law and Public Safety.

101 "Manufacture" means a person engaged in the business of
102 manufacturing or assembling motor vehicles, who will, under
103 normal business conditions during the year, manufacture or
104 assemble at least 10 new motor vehicles.

105 "Metal tire" means every tire the surface of which in contact
106 with the highway is wholly or partly of metal or other hard non-
107 resilient material.

108 "*Moped*" means a pedal bicycle having two tandem wheels, either
109 of which is over 20 inches in diameter, and having a helper motor,

110 *characterized in that the maximum piston displacement is less*
111 *than 50 cc., and that the maximum speed does not exceed 20 miles*
112 *per hour, when newly built.*

113 "Motorcycle" includes motorcycles, motor bikes, bicycles with
114 motor attached, and all motor operated vehicles of the bicycle or
115 tricycle type, *having a piston displacement of 50 cc. or more and*
116 *capable of maximum speeds in excess of 20 miles-per-hour*, whether
117 the motive power be a part thereof or attached thereto and having
118 a saddle or seat with driver sitting astride or upon it, or a platform
119 on which the driver stands.

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

122 "Motor vehicle" includes all vehicles propelled otherwise than
123 by muscular power, excepting such vehicles as run only upon rails
124 or tracks.

125 "Noncommercial truck" means every motor vehicle designed
126 primarily for transportation of property, and which is not a
127 "commercial vehicle."

128 "Official traffic control devices" means all signs, signals, mark-
129 ings, and devices not inconsistent with this subtitle placed or erected
130 by authority of a public body or official having jurisdiction, for the
131 purpose of regulating, warning, or guiding traffic.

132 "Omnibus" includes all motor vehicles used for the transporta-
133 tion of passengers for hire, except school buses if the same are not
134 otherwise used in the transportation of passengers for hire.

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

137 "Outside lane" means the lane nearest the curb or outer edge of
138 the roadway.

139 "Owner" means a person who holds the legal title of a vehicle, or
140 if a vehicle is the subject of an agreement for the conditional sale or
141 lease thereof with the right of purchase upon performance of the
142 conditions stated in the agreement and with an immediate right of
143 possession vested in the conditional vendee or lessee, or if a
144 mortgagor of a vehicle is entitled to possession, then the conditional
145 vendee, lessee or mortgagor shall be deemed the owner for the
146 purpose of this subtitle.

147 "Parking" means the standing or waiting on a street, road or
148 highway of a vehicle not actually engaged in receiving or discharg-
149 ing passengers or merchandise, unless in obedience to traffic regu-
150 lations or traffic signs or signals.

151 "Passenger automobile" means all automobiles used and
152 designed for the transportation of passengers, other than omni-
153 buses and school buses.

- 154 "Pedestrian" means a person afoot.
- 155 "Person" includes natural persons, firms, copartnerships,
156 associations, and corporations.
- 157 "Pneumatic tire" means every tire in which compressed air is
158 designed to support the load.
- 159 "Pole trailer" means every vehicle without motive power
160 designed to be drawn by another vehicle and attached to the towing
161 vehicle by means of a reach, or pole, or by being boomed or other-
162 wise secured to the towing vehicle, and ordinarily used for trans-
163 porting long or irregularly shaped loads such as poles, pipes, or
164 structural members capable, generally, of sustaining themselves as
165 beams between the supporting connections.
- 166 "Private road or driveway" means every road or driveway not
167 open to the use of the public for purposes of vehicular travel.
- 168 "Railroad train" means a steam engine, electric or other motor,
169 with or without cars coupled thereto, operated upon rails, except
170 street cars.
- 171 "Residence district" means that portion of a highway and the
172 territory contiguous thereto, not comprising a business district,
173 where within any 600 feet along such highway there are buildings
174 in use for business or residential purposes which occupy 300 feet
175 or more of frontage on at least one side of the highway.
- 176 "Right of way" means the privilege of the immediate use of the
177 highway.
- 178 "Road tractor" means every motor vehicle designed and used for
179 drawing other vehicles and not so constructed as to carry any load
180 thereon either independently or any part of the weight of a vehicle
181 or load so drawn.
- 182 "Roadway" means that portion of a highway improved,
183 designed, or ordinarily used for vehicular travel, exclusive of the
184 berm or shoulder. In the event a highway includes two or more
185 separate roadways the term "roadway" as used herein shall refer
186 to any such roadway separately, but not to all such roadways,
187 collectively.
- 188 "Safety zone" means the area or space officially set aside within
189 a highway for the exclusive use of pedestrians, which is so plainly
190 marked or indicated by proper signs as to be plainly visible at all
191 times while set apart as a safety zone.
- 192 "School bus" means every motor vehicle operated by, or under
193 contract with, a public or governmental agency, or religious or
194 other charitable organization or corporation, or privately operated
195 for compensation for the transportation of children to or from
196 school for secular or religious education which complies with the

197 regulations of the Department of Education affecting school buses.

198 "School zone" means that portion of a highway which is either
199 contiguous to territory occupied by a school building or is where
200 school crossings are established in the vicinity of a school, upon
201 which are maintained appropriate "school signs" in accordance
202 with specifications adopted by the director and in accordance with
203 law.

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

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

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

214 "Sidewalk" means that portion of a highway intended for the use
215 of pedestrians, between the curb line or the lateral line of a shoulder,
216 or if none, the lateral line of the roadway, and the adjacent right of
217 way line.

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

219 "Slow moving vehicle" means a vehicle run at a speed less than
220 the maximum speed then and there permissible.

221 "Solid tire" means every tire of rubber or other resilient
222 material which does not depend upon compressed air for the
223 support of the load.

224 "Street" means the same as highway.

225 "Street car" means a car other than a railroad train for trans-
226 porting persons or property and operated upon rails principally
227 within a municipality.

228 "Stop," when required, means complete cessation from move-
229 ment.

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

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

238 "Trackless trolley" means every motor vehicle which is propelled
239 by electric power obtained from overhead trolley wires but not
240 operated upon rails.

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

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

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

251 "Truck" means every motor vehicle designed, used, or main-
252 tained primarily for the transportation of property.

253 "Truck tractor" means every motor vehicle designed and used
254 primarily for drawing other vehicles and not so constructed as to
255 carry a load other than a part of the weight of the vehicle and load
256 so drawn.

257 "Vehicle" means every device in, upon or by which a person or
258 property is or may be transported upon a highway, excepting
259 devices moved by human power or used exclusively upon stationary
260 rails or tracks.

1-2 2. a. Mopeds shall not be used upon interstate and primary high-
3 ways **or upon the railroad or right-of-way of an operating rail-*
3A *road** within the State of New Jersey.

4 b. Mopeds shall not be operated by a person under 15 years of age.

5 c. Regulations applicable to bicycles shall apply whenever a
6 moped is operated upon any public road or upon any path set aside
7 for the exclusive use of mopeds.

1 3. This act shall take effect immediately.

ASSEMBLY TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1071
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: APRIL 14, 1975

Motorized bicycles offer safe, convenient and economical local transportation. The United States Department of Transportation's National Highway Traffic Safety Administration has recently adopted equipment standards applicable to the particular characteristics of the motorized bicycle. The adoption of these standards enables the importation and sale of motorized bicycles and the purpose of this bill is to enable New Jersey residents to have similar privileges as residents of several other states, Canadian provinces, and many nations of the world as regards the purchasing and operation of such bicycles.

This bill establishes a classification for motor-assisted pedal bicycles (motorized bicycles) in the New Jersey Motor Vehicle Code. Residents 15 years of age and older would be permitted to operate motorized bicycles on roads other than interstate and primary highways.

ASSEMBLY COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 1071

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED APRIL 14, 1975

Amend page 1, title, line 1, omit "motor vehicles", insert "motorized bicycles".

Amend pages 3-4, section 1, lines 108-112, omit in their entirety and insert "'Motorized bicycle' means a pedal bicycle having a helper motor characterized in that the maximum piston displacement is less than 50 cc. rated no more than 1.5 brake horsepower and capable of a maximum speed of no more than 25 miles per hour."

Amend page 4, section 1, line 115, after "more", insert "rated in excess of 1.5 brake horsepower".

Amend page 4, section 1, line 116, omit "20", insert "25".

Amend page 4, section 1, line 124, after "tracks", insert "and motorized bicycles".

Amend page 7, section 1, line 260, after "tracks", insert "or motorized bicycles".

Amend page 7, section 2, lines 1-2, omit "Mopeds", insert "Motorized bicycles".

Amend page 7, section 2, lines 3-3A, omit "or upon the railroad or right-of-way of an operating railroad".

Amend page 7, section 2, line 4, omit "Mopeds", insert "Motorized bicycles".

Amend page 7, section 2, line 6, omit "moped", insert "motorized bicycle".

Amend page 7, section 2, line 7, omit "mopeds", insert "motorized bicycles".

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1071

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1974

By Assemblymen FROUDE, OTLOWSKI, PATERO, BARBOUR,
HAMILTON, KARCHER, BORNHEIMER, DEVERIN and
NEWMAN

Referred to Committee on Transportation and Public Utilities

AN ACT concerning ****[motor vehicles]**** ***motorized bicycles***,
amending R. S. 39:1-1 and supplementing Title 39 of the Revised
Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

2 39:1-1. As used in this subtitle, unless other meaning is clearly
3 apparent from the language or context, or unless inconsistent with
4 the manifest intention of the Legislature:

5 "Alley" means a public highway wherein the roadway does not
6 exceed 12 feet in width.

7 "Authorized emergency vehicles" means vehicles of the fire
8 department, police vehicles and such ambulances and other vehicles
9 as are approved by the Director of the Division of Motor Vehicles
10 in the Department of Law and Public Safety when operated in
11 response to an emergency call.

12 "Automobile" includes all motor vehicles except motorcycles.

13 "Berm" means that portion of the highway exclusive of roadway
14 and shoulder, bordering the shoulder but not to be used for vehi-
15 ular travel.

16 "Business district" means that portion of a highway and the
17 territory contiguous thereto, where within any 600 feet along such
18 highway there are buildings in use for business or industrial pur-
19 poses, including but not limited to hotels, banks, office buildings,
20 railroad stations, and public buildings which occupy at least 300
21 feet of frontage on one side or 300 feet collectively on both sides
22 of the roadway.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

23 "Commercial motor vehicle" includes every type of motor-driven
24 vehicle used for commercial purposes on the highways, such as the
25 transportation of goods, wares and merchandise, excepting such
26 vehicles as are run only upon rails or tracks and vehicles of the
27 passenger car type used for touring purposes or the carrying of
28 farm products and milk, as the case may be.

29 "Commissioner" means the Director of the Division of Motor
30 Vehicles in the Department of Law and Public Safety of this State.

31 "Crosswalk" means that part of a highway at an intersection
32 included within the connections of the lateral lines of the sidewalks
33 on opposite sides of the highway measured from the curbs or, in the
34 absence of curbs, from the edges of the shoulder or, if none, from
35 the edges of the roadway; also, any portion of a highway at an
36 intersection or elsewhere distinctly indicated for pedestrian cross-
37 ing by lines or other marking on the surface.

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

41 "Department" means the Division of Motor Vehicles in the
42 Department of Law and Public Safety of this State acting directly
43 or through its duly authorized officers or agents.

44 "Deputy commissioner" means deputy director of the Division
45 of Motor Vehicles in the Department of Law and Public Safety.

46 "Deputy director" means deputy director of the Division of
47 Motor Vehicles in the Department of Law and Public Safety.

48 "Director" means the Director of the Division of Motor Vehicles
49 in the Department of Law and Public Safety.

50 "Division" means the Division of Motor Vehicles in the Depart-
51 ment of Law and Public Safety acting directly or through its duly
52 authorized officers or agents.

53 "Driver" means the rider or driver of a horse, bicycle or motor-
54 cycle or the driver or operator of a motor vehicle, unless otherwise
55 specified.

56 "Explosives" means any chemical compound or mechanical
57 mixture that is commonly used or intended for the purpose of
58 producing an explosion and which contains any oxidizing and com-
59 bustive units or other ingredients in such proportions, quantities,
60 or packing that an ignition by fire, by friction, by concussion, by
61 percussion, or by detonator of any part of the compound or mixture
62 may cause such a sudden generation of highly heated gases that the
63 resultant gaseous pressures are capable of producing destructive
64 effects on contiguous objects or of destroying life or limb.

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

68 "Flammable liquid" means any liquid having a flash point below
69 200° Fahrenheit, and a vapor pressure not exceeding 40 pounds.

70 "Gross weight" means the combined weight of a vehicle and any
71 load thereon.

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

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

77 "Inside lane" means the lane nearest the center line of the road-
78 way.

79 "Intersection" means the area embraced within the prolongation
80 of the lateral curb lines or, if none, the lateral boundary lines of 2
81 or more highways which join one another at an angle, whether or
82 not one such highway crosses another.

83 "Laned roadway" means a roadway which is divided into 2 or
84 more clearly marked lanes for vehicular traffic.

85 "Limited-access highway" means every highway, street, or road-
86 way in respect to which owners or occupants of abutting lands and
87 other persons have no legal right of access to or from the same
88 except at such points only and in such manner as may be determined
89 by the public authority having jurisdiction over such highway,
90 street, or roadway; and includes any highway designated as a
91 "freeway" or "parkway" by authority of law.

92 "Local authorities" means every county, municipal and other
93 local board or body having authority to adopt local police regula-
94 tions under the constitution and laws of this State, including every
95 county board of chosen freeholders with relation to county roads.

96 "Magistrate" means any municipal court, county district court,
97 criminal judicial district court, County Court and the Superior
98 Court, and any officer having the powers of a committing magis-
99 trate and the Director of the Division of Motor Vehicles in the
100 Department of Law and Public Safety.

101 "Manufacture" means a person engaged in the business of
102 manufacturing or assembling motor vehicles, who will, under
103 normal business conditions during the year, manufacture or
104 assemble at least 10 new motor vehicles.

105 "Metal tire" means every tire the surface of which in contact
106 with the highway is wholly or partly of metal or other hard non-
107 resilient material.

108 **["Moped" means a pedal bicycle having two tandem wheels,
 109 either of which is over 20 inches in diameter, and having a helper
 110 motor, characterized in that the maximum piston displacement is
 111 less than 50 cc., and that the maximum speed does not exceed 20
 112 miles per hour, when newly built.]"** ***"Motorized bicycle" means
 112A a pedal bicycle having a helper motor characterized in that the
 112B maximum piston displacement is less than 50 cc. rated no more
 112C than 1.5 brake horsepower and capable of a maximum speed of
 112D no more than 25 miles per hour.**

113 "Motorecycle" includes motorcycles, motor bikes, bicycles with
 114 motor attached, and all motor operated vehicles of the bicycle or
 115 tricycle type, having a piston displacement of 50 cc. or more **rated
 116 in excess of 1.5 brake horsepower** and capable of maximum speeds
 117 in excess of **[20]** **25** miles-per-hour, whether the motive
 118 power be a part thereof or attached thereto and having a saddle
 119 or seat with driver sitting astride or upon it, or a platform on
 119A which the driver stands.

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

122 "Motor vehicle" includes all vehicles propelled otherwise than
 123 by muscular power, excepting such vehicles as run only upon rails
 124 or tracks **and motorized bicycles**.

125 "Noncommercial truck" means every motor vehicle designed
 126 primarily for transportation of property, and which is not a
 127 "commercial vehicle."

128 "Official traffic control devices" means all signs, signals, mark-
 129 ings, and devices not inconsistent with this subtitle placed or erected
 130 by authority of a public body or official having jurisdiction, for the
 131 purpose of regulating, warning, or guiding traffic.

132 "Omnibus" includes all motor vehicles used for the transporta-
 133 tion of passengers for hire, except school buses if the same are not
 134 otherwise used in the transportation of passengers for hire.

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

137 "Outside lane" means the lane nearest the curb or outer edge of
 138 the roadway.

139 "Owner" means a person who holds the legal title of a vehicle, or
 140 if a vehicle is the subject of an agreement for the conditional sale or
 141 lease thereof with the right of purchase upon performance of the
 142 conditions stated in the agreement and with an immediate right of
 143 possession vested in the conditional vendee or lessee, or if a
 144 mortgagor of a vehicle is entitled to possession, then the conditional

145 vendee, lessee or mortgagor shall be deemed the owner for the
146 purpose of this subtitle.

147 "Parking" means the standing or waiting on a street, road or
148 highway of a vehicle not actually engaged in receiving or discharg-
149 ing passengers or merchandise, unless in obedience to traffic regu-
150 lations or traffic signs or signals.

151 "Passenger automobile" means all automobiles used and
152 designed for the transportation of passengers, other than omni-
153 buses and school buses.

154 "Pedestrian" means a person afoot.

155 "Person" includes natural persons, firms, copartnerships,
156 associations, and corporations.

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

159 "Pole trailer" means every vehicle without motive power
160 designed to be drawn by another vehicle and attached to the towing
161 vehicle by means of a reach, or pole, or by being boomed or other-
162 wise secured to the towing vehicle, and ordinarily used for trans-
163 porting long or irregularly shaped loads such as poles, pipes, or
164 structural members capable, generally, of sustaining themselves as
165 beams between the supporting connections.

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

168 "Railroad train" means a steam engine, electric or other motor,
169 with or without cars coupled thereto, operated upon rails, except
170 street cars.

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

176 "Right of way" means the privilege of the immediate use of the
177 highway.

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

182 "Roadway" means that portion of a highway improved,
183 designed, or ordinarily used for vehicular travel, exclusive of the
184 berm or shoulder. In the event a highway includes two or more
185 separate roadways the term "roadway" as used herein shall refer
186 to any such roadway separately, but not to all such roadways,
187 collectively.

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

192 "School bus" means every motor vehicle operated by, or under
193 contract with, a public or governmental agency, or religious or
194 other charitable organization or corporation, or privately operated
195 for compensation for the transportation of children to or from
196 school for secular or religious education which complies with the
197 regulations of the Department of Education affecting school buses.

198 "School zone" means that portion of a highway which is either
199 contiguous to territory occupied by a school building or is where
200 school crossings are established in the vicinity of a school, upon
201 which are maintained appropriate "school signs" in accordance
202 with specifications adopted by the director and in accordance with
203 law.

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

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

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

214 "Sidewalk" means that portion of a highway intended for the use
215 of pedestrians, between the curb line or the lateral line of a shoulder,
216 or if none, the lateral line of the roadway, and the adjacent right of
217 way line.

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

219 "Slow moving vehicle" means a vehicle run at a speed less than
220 the maximum speed then and there permissible.

221 "Solid tire" means every tire of rubber or other resilient
222 material which does not depend upon compressed air for the
223 support of the load.

224 "Street" means the same as highway.

225 "Street car" means a car other than a railroad train for trans-
226 porting persons or property and operated upon rails principally
227 within a municipality.

228 "Stop," when required, means complete cessation from move-
229 ment.

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

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

238 "Trackless trolley" means every motor vehicle which is propelled
 239 by electric power obtained from overhead trolley wires but not
 240 operated upon rails.

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

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

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

251 "Truck" means every motor vehicle designed, used, or main-
 252 tained primarily for the transportation of property.

253 "Truck tractor" means every motor vehicle designed and used
 254 primarily for drawing other vehicles and not so constructed as to
 255 carry a load other than a part of the weight of the vehicle and load
 256 so drawn.

257 "Vehicle" means every device in, upon or by which a person or
 258 property is or may be transported upon a highway, excepting
 259 devices moved by human power or used exclusively upon stationary
 260 rails or tracks ***or motorized bicycles***.

1 2. a. ****[Mopeds]**** ***Motorized bicycles*** shall not be used
 2 upon interstate and primary highways ***or upon the railroad or*
 3 *right-of-way of an operating railroad*** within the State of New
 4 Jersey.

5 b. ****[Mopeds]**** ***Motorized bicycles*** shall not be operated
 6 by a person under 15 years of age.

7 c. Regulations applicable to bicycles shall apply whenever a
 8 ****[moped]**** ***motorized bicycle*** is operated upon any public
 9 road or upon any path set aside for the exclusive use of
 10 ****[mopeds]**** ***motorized bicycles***.

1 3. This act shall take effect immediately.

SENATE TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1071

[SECOND OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: JUNE 23, 1975

Motorized bicycles offer safe, convenient and economical local transportation. The United States Department of Transportation's National Highway Traffic Safety Administration has recently adopted equipment standards applicable to the particular characteristics of the motorized bicycle. The adoption of these standards enables the importation and sale of motorized bicycles and the purpose of this bill is to enable New Jersey residents to have similar privileges as residents of several other states, Canadian provinces, and many nations of the world as regards the purchasing and operation of such bicycles.

This bill establishes a classification for motor-assisted pedal bicycles (motorized bicycles) in the New Jersey Motor Vehicle Code. Residents 15 years of age and older would be permitted to operate motorized bicycles on roads other than interstate and primary highways.

The bill was amended in committee to bring it into conformity with existing law concerning the definition of "school buses."

SENATE COMMITTEE AMENDMENT TO
ASSEMBLY, No. 1071

STATE OF NEW JERSEY

ADOPTED JUNE 23, 1975

Amend page 6, section 1, line 197, after "buses", insert "including "School Vehicle Type I" and "School Vehicle Type II" as defined below:

"School Vehicle Type I" means any vehicle with a seating capacity of 17 or more, used to transport enrolled children, and adults only when serving as chaperones, to or from a school, school connected activity, day camp, summer day camp, nursery school, child care center, pre-school center or other similar places of education. Such vehicle must comply with the regulations of the Division of Motor Vehicles and either the Department of Education or the Department of Institutions and Agencies whichever is the appropriate supervising agency.

"School Vehicle Type II" means any vehicle with a seating capacity of 16 or less, used to transport enrolled children, and adults only when serving as chaperones, to or from a school, school connected activity, day camp, summer day camp, nursery school, child care center, pre-school center or other similar places of education. Such vehicle must comply with the regulations of the Division of Motor Vehicles and either the Department of Education or the Department of Institutions and Agencies whichever is the appropriate supervising agency".

[SENATE REPRINT]

ASSEMBLY, No. 1071

[SECOND OFFICIAL COPY REPRINT]

with Senate committee amendment adopted June 23, 1975

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1974

By Assemblymen FROUDE, OTLOWSKI, PATERO, BARBOUR,
HAMILTON, KARCHER, BORNHEIMER, DEVERIN and
NEWMAN

Referred to Committee on Transportation and Public Utilities

AN ACT concerning ****[motor vehicles]**** ***motorized bicycles***,
amending R. S. 39:1-1 and supplementing Title 39 of the Revised
Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

2 39:1-1. As used in this subtitle, unless other meaning is clearly
3 apparent from the language or context, or unless inconsistent with
4 the manifest intention of the Legislature:

5 "Alley" means a public highway wherein the roadway does not
6 exceed 12 feet in width.

7 "Authorized emergency vehicles" means vehicles of the fire
8 department, police vehicles and such ambulances and other vehicles
9 as are approved by the Director of the Division of Motor Vehicles
10 in the Department of Law and Public Safety when operated in
11 response to an emergency call.

12 "Automobile" includes all motor vehicles except motorcycles.

13 "Berm" means that portion of the highway exclusive of roadway
14 and shoulder, bordering the shoulder but not to be used for vehic-
15 ular travel.

16 "Business district" means that portion of a highway and the
17 territory contiguous thereto, where within any 600 feet along such
18 highway there are buildings in use for business or industrial pur-
19 poses, including but not limited to hotels, banks, office buildings,
20 railroad stations, and public buildings which occupy at least 300
21 feet of frontage on one side or 300 feet collectively on both sides
22 of the roadway.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

23 "Commercial motor vehicle" includes every type of motor-driven
24 vehicle used for commercial purposes on the highways, such as the
25 transportation of goods, wares and merchandise, excepting such
26 vehicles as are run only upon rails or tracks and vehicles of the
27 passenger car type used for touring purposes or the carrying of
28 farm products and milk, as the case may be.

29 "Commissioner" means the Director of the Division of Motor
30 Vehicles in the Department of Law and Public Safety of this State.

31 "Crosswalk" means that part of a highway at an intersection
32 included within the connections of the lateral lines of the sidewalks
33 on opposite sides of the highway measured from the curbs or, in the
34 absence of curbs, from the edges of the shoulder or, if none, from
35 the edges of the roadway; also, any portion of a highway at an
36 intersection or elsewhere distinctly indicated for pedestrian cross-
37 ing by lines or other marking on the surface.

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

41 "Department" means the Division of Motor Vehicles in the
42 Department of Law and Public Safety of this State acting directly
43 or through its duly authorized officers or agents.

44 "Deputy commissioner" means deputy director of the Division
45 of Motor Vehicles in the Department of Law and Public Safety.

46 "Deputy director" means deputy director of the Division of
47 Motor Vehicles in the Department of Law and Public Safety.

48 "Director" means the Director of the Division of Motor Vehicles
49 in the Department of Law and Public Safety.

50 "Division" means the Division of Motor Vehicles in the Depart-
51 ment of Law and Public Safety acting directly or through its duly
52 authorized officers or agents.

53 "Driver" means the rider or driver of a horse, bicycle or motor-
54 cycle or the driver or operator of a motor vehicle, unless otherwise
55 specified.

56 "Explosives" means any chemical compound or mechanical
57 mixture that is commonly used or intended for the purpose of
58 producing an explosion and which contains any oxidizing and com-
59 bustive units or other ingredients in such proportions, quantities,
60 or packing that an ignition by fire, by friction, by concussion, by
61 percussion, or by detonator of any part of the compound or mixture
62 may cause such a sudden generation of highly heated gases that the
63 resultant gaseous pressures are capable of producing destructive
64 effects on contiguous objects or of destroying life or limb.

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

68 "Flammable liquid" means any liquid having a flash point below
69 200° Fahrenheit, and a vapor pressure not exceeding 40 pounds.

70 "Gross weight" means the combined weight of a vehicle and any
71 load thereon.

72 "Highway" means the entire width between the boundary lines
73 of very way publicly maintained when any part thereof is open to
74 the use of the public for purposes of vehicular travel.

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

77 "Inside lane" means the lane nearest the center line of the road-
78 way.

79 "Intersection" means the area embraced within the prolongation
80 of the lateral curb lines or, if none, the lateral boundary lines of 2
81 or more highways which join one another at an angle, whether or
82 not one such highway crosses another.

83 "Laned roadway" means a roadway which is divided into 2 or
84 more clearly marked lanes for vehicular traffic.

85 "Limited-access highway" means every highway, street, or road-
86 way in respect to which owners or occupants of abutting lands and
87 other persons have no legal right of access to or from the same
88 except at such points only and in such manner as may be determined
89 by the public authority having jurisdiction over such highway,
90 street, or roadway; and includes any highway designated as a
91 "freeway" or "parkway" by authority of law.

92 "Local authorities" means every county, municipal and other
93 local board or body having authority to adopt local police regula-
94 tions under the constitution and laws of this State, including every
95 county board of chosen freeholders with relation to county roads.

96 "Magistrate" means any municipal court, county district court,
97 criminal judicial district court, County Court and the Superior
98 Court, and any officer having the powers of a committing magis-
99 trate and the Director of the Division of Motor Vehicles in the
100 Department of Law and Public Safety.

101 "Manufacture" means a person engaged in the business of
102 manufacturing or assembling motor vehicles, who will, under
103 normal business conditions during the year, manufacture or
104 assemble at least 10 new motor vehicles.

105 "Metal tire" means every tire the surface of which in contact
106 with the highway is wholly or partly of metal or other hard non-
107 resilient material.

108 ******["*Moped*"] means a pedal bicycle having two tandem wheels,
 109 either of which is over 20 inches in diameter, and having a helper
 110 motor, characterized in that the maximum piston displacement is
 111 less than 50 cc., and that the maximum speed does not exceed 20
 112 miles per hour, when newly built.]****** *******"*Motorized bicycle*" means
 112A a pedal bicycle having a helper motor characterized in that the
 112B maximum piston displacement is less than 50 cc. rated no more
 112C than 1.5 brake horsepower and capable of a maximum speed of
 112D no more than 25 miles per hour.******

113 "Motorcycle" includes motorcycles, motor bikes, bicycles with
 114 motor attached, and all motor operated vehicles of the bicycle or
 115 tricycle type, having a piston displacement of 50 cc. or more ******rated
 116 in excess of 1.5 brake horsepower****** and capable of maximum speeds
 117 in excess of ******[20]****** ******25****** miles-per-hour, whether the motive
 118 power be a part thereof or attached thereto and having a saddle
 119 or seat with driver sitting astride or upon it, or a platform on
 119A which the driver stands.

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

122 "Motor vehicle" includes all vehicles propelled otherwise than
 123 by muscular power, excepting such vehicles as run only upon rails
 124 or tracks ****and motorized bicycles****.****

125 "Noncommercial truck" means every motor vehicle designed
 126 primarily for transportation of property, and which is not a
 127 "commercial vehicle."

128 "Official traffic control devices" means all signs, signals, mark-
 129 ings, and devices not inconsistent with this subtitle placed or erected
 130 by authority of a public body or official having jurisdiction, for the
 131 purpose of regulating, warning, or guiding traffic.

132 "Omnibus" includes all motor vehicles used for the transporta-
 133 tion of passengers for hire, except school buses if the same are not
 134 otherwise used in the transportation of passengers for hire.

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

137 "Outside lane" means the lane nearest the curb or outer edge of
 138 the roadway.

139 "Owner" means a person who holds the legal title of a vehicle, or
 140 if a vehicle is the subject of an agreement for the conditional sale or
 141 lease thereof with the right of purchase upon performance of the
 142 conditions stated in the agreement and with an immediate right of
 143 possession vested in the conditional vendee or lessee, or if a
 144 mortgagor of a vehicle is entitled to possession, then the conditional

145 vendee, lessee or mortgagor shall be deemed the owner for the
146 purpose of this subtitle.

147 "Parking" means the standing or waiting on a street, road or
148 highway of a vehicle not actually engaged in receiving or discharg-
149 ing passengers or merchandise, unless in obedience to traffic regu-
150 lations or traffic signs or signals.

151 "Passenger automobile" means all automobiles used and
152 designed for the transportation of passengers, other than omni-
153 buses and school buses.

154 "Pedestrian" means a person afoot.

155 "Person" includes natural persons, firms, copartnerships,
156 associations, and corporations.

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

159 "Pole trailer" means every vehicle without motive power
160 designed to be drawn by another vehicle and attached to the towing
161 vehicle by means of a reach, or pole, or by being boomed or other-
162 wise secured to the towing vehicle, and ordinarily used for trans-
163 porting long or irregularly shaped loads such as poles, pipes, or
164 structural members capable, generally, of sustaining themselves as
165 beams between the supporting connections.

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

168 "Railroad train" means a steam engine, electric or other motor,
169 with or without cars coupled thereto, operated upon rails, except
170 street cars.

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

176 "Right of way" means the privilege of the immediate use of the
177 highway.

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

182 "Roadway" means that portion of a highway improved,
183 designed, or ordinarily used for vehicular travel, exclusive of the
184 berm or shoulder. In the event a highway includes two or more
185 separate roadways the term "roadway" as used herein shall refer
186 to any such roadway separately, but not to all such roadways,
187 collectively.

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

192 "School bus" means every motor vehicle operated by, or under
193 contract with, a public or governmental agency, or religious or
194 other charitable organization or corporation, or privately operated
195 for compensation for the transportation of children to or from
196 school for secular or religious education which complies with the
197 regulations of the Department of Education affecting school buses
198 ***including "School Vehicle Type I" and "School Vehicle Type
199 II" as defined below:

200 "School Vehicle Type I" means any vehicle with a seating
201 capacity of 17 or more, used to transport enrolled children, and
202 adults only when serving as chaperones, to or from a school, school
203 connected activity, day camp, summer day camp, nursery school,
204 child care center, preschool center or other similar places of edu-
205 cation. Such vehicle must comply with the regulations of the Divi-
206 sion of Motor Vehicles and either the Department of Education or
207 the Department of Institutions and Agencies whichever is the
208 appropriate supervising agency.

209 "School Vehicle Type II" means any vehicle with a seating
210 capacity of 16 or less, used to transport enrolled children, and
211 adults only when serving as chaperones, to or from a school, school
212 connected activity, day camp, summer day camp, nursery school,
213 child care center, preschool center or other similar places of edu-
214 cation. Such vehicle must comply with the regulations of the Divi-
215 sion of Motor Vehicles and either the Department of Education or
216 the Department of Institutions and Agencies whichever is the
217 appropriate supervising agency***.

218 "School zone" means that portion of a highway which is either
219 contiguous to territory occupied by a school building or is where
220 school crossings are established in the vicinity of a school, upon
221 which are maintained appropriate "school signs" in accordance
222 with specifications adopted by the director and in accordance with
223 law.

224 "School crossing" means that portion of a highway where
225 school children are required to cross the highway in the vicinity of
226 a school.

227 "Semitrailer" means every vehicle with or without motive
228 power, other than a pole trailer, designed for carrying persons or
229 property and for being drawn by a motor vehicle and so constructed

230 that some part of its weight and that of its load rests upon or is
231 carried by another vehicle.

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

235 "Sidewalk" means that portion of a highway intended for the
236 use of pedestrians, between the curb line or the lateral line of a
237 shoulder, or if none, the lateral line of the roadway, and the
238 adjacent right of way line.

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

240 "Slow moving vehicle" means a vehicle run at a speed less than
241 the maximum speed then and there permissible.

242 "Solid tire" means every tire of rubber or other resilient
243 material which does not depend upon compressed air for the
244 support of the load.

245 "Street" means the same as highway.

246 "Street car" means a car other than a railroad train for trans-
247 porting persons or property and operated upon rails principally
248 within a municipality.

249 "Stop," when required, means complete cessation from move-
250 ment.

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

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

259 "Trackless trolley" means every motor vehicle which is pro-
260 pelled by electric power obtained from overhead trolley wires but
261 not operated upon rails.

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

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

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

272 "Truck" means every motor vehicle designed, used, or main-
273 tained primarily for the transportation of property.

274 "Truck tractor" means every motor vehicle designed and used
275 primarily for drawing other vehicles and not so constructed as to
276 carry a load other than a part of the weight of the vehicle and load
277 so drawn.

278 "Vehicle" means every device in, upon or by which a person or
279 property is or may be transported upon a highway, excepting
280 devices moved by human power or used exclusively upon stationary
281 rails or tracks ***or motorized bicycles***.

1 2. a. ****[Mopeds]**** ***Motorized bicycles*** shall not be used
2 upon interstate and primary highways ***or upon the railroad or
3 right-of-way of an operating railroad*** within the State of New
4 Jersey.

5 b. ****[Mopeds]**** ***Motorized bicycles*** shall not be operated
6 by a person under 15 years of age.

7 c. Regulations applicable to bicycles shall apply whenever a
8 ****[moped]**** ***motorized bicycle*** is operated upon any public
9 road or upon any path set aside for the exclusive use of
10 ****[mopeds]**** ***motorized bicycles***.

1 3. This act shall take effect immediately.

FROM THE OFFICE OF THE GOVERNOR

OCTOBER 31, 1975

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne today signed into law a bill that permits motorized bicycles as a separate class from motorcycles in New Jersey and provides the same regulations for them as for bicycles.

The measure, A-1071, sponsored by Assemblyman John H. Froude, D-Middlesex, was signed by the Governor at a public ceremony at the Gloucester County Court House.

The bill prohibits the use of motorized bicycles on interstate highways or other major roadways.

It also prohibits their use by any person under the age of 15.

The measure also provides that all regulations affecting bicycles on public roads or bicycle paths shall apply to motorized bicycles.

The bill defines a motorized bicycle as a pedal bicycle having a motor and a maximum speed of no more than 25 miles per hour.
