

39:4-92.4
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2021 **CHAPTER:** 194

NJSA: 39:4-92.4 (Requires motorists operating vehicles to maintain reasonable and safe distance when overtaking pedestrians and certain bicycles.)

BILL NO: A5570 (Substituted for S2208/1460/1463)

SPONSOR(S) Karabinchak, Robert J. and others

DATE INTRODUCED: 5/5/2021

COMMITTEE: **ASSEMBLY:** Law & Public Safety

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 6/24/2021

SENATE: 6/30/2021

DATE OF APPROVAL: 8/5/2021

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL

(Assembly Committee Substitute for A5570/5571/5579/5656 enacted) Yes

A5570

INTRODUCED BILL A5570 (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Law & Public Safety

SENATE: No

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

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A5571

INTRODUCED BILL A5571 (INCLUDES SPONSOR'S STATEMENT): Yes

A5579

INTRODUCED BILL A5579 (INCLUDES SPONSOR'S STATEMENT): Yes

A5656

INTRODUCED BILL A5656 (INCLUDES SPONSOR'S STATEMENT): Yes

(continued)

S2208/1460/1463)

INTRODUCED BILL S2208 (INCLUDES SPONSOR'S STATEMENT):	Yes
INTRODUCED BILL S1460 (INCLUDES SPONSOR'S STATEMENT):	Yes
INTRODUCED BILL S1463 (INCLUDES SPONSOR'S STATEMENT):	Yes
COMMITTEE STATEMENT:	
ASSEMBLY:	No
SENATE:	Yes

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

FLOOR AMENDMENT STATEMENT:	Yes
LEGISLATIVE FISCAL ESTIMATE:	No

VETO MESSAGE:	No
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GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
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FOLLOWING WERE PRINTED:

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REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

RH/CL

P.L. 2021, CHAPTER 194, *approved August 5, 2021*

Assembly Committee Substitute for
Assembly, Nos. 5570, 5571, 5579, and 5656

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

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

7
8 1. a. As used in this section:

9 “Bicycle” shall have the same meaning as set forth in R.S.39:4-
10 14.5.

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

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

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

21 b. The operator of a motor vehicle approaching a pedestrian,
22 bicycle, low-speed electric bicycle, low-speed electric scooter, or
23 any other lawful personal conveyance located or operating in an
24 area designated for pedestrians or those conveyances, as
25 appropriate, on the roadways of this State shall approach with due
26 caution and shall, absent any other direction by a law enforcement
27 officer, proceed as follows:

28 (1) when possible under existing safety and traffic conditions,
29 make a lane change into a lane not adjacent to the pedestrian or
30 personal conveyance;

31 (2) if a lane change cannot be made pursuant to paragraph (1) of
32 this subsection, leave a reasonable and safe distance of not less than
33 four feet while approaching the pedestrian or personal conveyance
34 and maintain a distance of at least four feet until the motor vehicle
35 has safely passed the conveyance; or

36 (3) if it is not possible, prohibited by law, or unsafe to make a
37 lane change pursuant to paragraph (1) of this subsection or to leave
38 a reasonable and safe distance of not less than four feet pursuant to
39 paragraph (2) of this subsection, the motor vehicle operator shall
40 reduce the speed of the motor vehicle to 25 miles per hour or a
41 lower posted speed and be prepared to stop; the operator may pass
42 the pedestrian or personal conveyance only if, considering the size

1 and speed of the motor vehicle, traffic conditions, weather,
2 visibility, and the surface and width of the roadway, passing does
3 not endanger the safety of a pedestrian, operator of the personal
4 conveyance, or any other person on the roadway.

5 c. A person who commits a violation of the provisions of this
6 section which results in bodily injury as defined in N.J.S.2C:11-1
7 shall be fined \$500 and assessed two motor vehicle penalty points;
8 if no bodily injury results, the violator shall be fined \$100 and shall
9 not be assessed any penalty points.

10 d. Nothing in this section shall be construed to preclude or
11 limit a prosecution or conviction for a violation of any offense
12 defined by the laws of this State or for any violation of Title 39 of
13 the Revised Statutes.

14

15 2. This act shall take effect on the first day of the seventh
16 month following enactment.

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21 _____
22 Requires certain actions by motor vehicle operators when
overtaking or passing pedestrians, bicycles, or scooters.

CHAPTER 194

AN ACT concerning motor vehicles overtaking certain pedestrians, bicyclists, and scooter riders and supplementing Title 39 of the Revised Statutes.

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

C.39:4-92.4 Definitions; procedures.

1. a. As used in this section:

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

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

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

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

b. The operator of a motor vehicle approaching a pedestrian, bicycle, low-speed electric bicycle, low-speed electric scooter, or any other lawful personal conveyance located or operating in an area designated for pedestrians or those conveyances, as appropriate, on the roadways of this State shall approach with due caution and shall, absent any other direction by a law enforcement officer, proceed as follows:

(1) when possible under existing safety and traffic conditions, make a lane change into a lane not adjacent to the pedestrian or personal conveyance;

(2) if a lane change cannot be made pursuant to paragraph (1) of this subsection, leave a reasonable and safe distance of not less than four feet while approaching the pedestrian or personal conveyance and maintain a distance of at least four feet until the motor vehicle has safely passed the conveyance; or

(3) if it is not possible, prohibited by law, or unsafe to make a lane change pursuant to paragraph (1) of this subsection or to leave a reasonable and safe distance of not less than four feet pursuant to paragraph (2) of this subsection, the motor vehicle operator shall reduce the speed of the motor vehicle to 25 miles per hour or a lower posted speed and be prepared to stop; the operator may pass the pedestrian or personal conveyance only if, considering the size and speed of the motor vehicle, traffic conditions, weather, visibility, and the surface and width of the roadway, passing does not endanger the safety of a pedestrian, operator of the personal conveyance, or any other person on the roadway.

c. A person who commits a violation of the provisions of this section which results in bodily injury as defined in N.J.S.2C:11-1 shall be fined \$500 and assessed two motor vehicle penalty points; if no bodily injury results, the violator shall be fined \$100 and shall not be assessed any penalty points.

d. Nothing in this section shall be construed to preclude or limit a prosecution or conviction for a violation of any offense defined by the laws of this State or for any violation of Title 39 of the Revised Statutes.

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

Approved August 5, 2021.

ASSEMBLY, No. 5570

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 5, 2021, 2021

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

SYNOPSIS

Requires motorists operating vehicles to maintain reasonable and safe distance when overtaking pedestrians and certain bicycles.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/17/2021)

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

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

7
8 1. a. (1) The driver of a vehicle overtaking a bicycle
9 proceeding in the same direction as the vehicle shall leave a
10 reasonable and safe distance between the vehicle and the bicycle of
11 not less than four feet until the vehicle has safely passed the
12 bicycle, except when the bicycle is traveling in a designated bicycle
13 path.

14 (2) The driver of a vehicle overtaking a pedestrian shall leave a
15 reasonable and safe distance between the vehicle and the pedestrian
16 of not less than four feet until the vehicle has safely passed the
17 pedestrian.

18 b. For the purposes of this section, "pedestrian" shall include,
19 but not be limited to, a pedestrian as defined in R.S.39:1-1, a person
20 in a wheelchair or motorized wheelchair as defined in R.S.39:1-1, a
21 person employed by or who contracts with any public utility
22 company in this State, a property maintenance worker, or any other
23 person who is legally permitted to be upon the roadway for work or
24 recreation.

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

27
28 2. This act shall take effect on the first day of the seventh
29 month following enactment.

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32 STATEMENT

33

34 This bill requires the driver of a vehicle to maintain a reasonable
35 and safe distance of at least four feet when overtaking a pedestrian
36 or overtaking a bicycle traveling in the same direction as the
37 vehicle. A driver is not required to maintain a distance of at least
38 four feet when overtaking a bicycle traveling in a dedicated bicycle
39 path.

40 The bill defines a pedestrian to include: a pedestrian, a person in
41 a wheelchair or motorized wheelchair, a person employed by or
42 who contracts with a public utility company in the State, a property
43 maintenance worker, or any other person legally permitted to be
44 upon the roadway for work or recreation.

45 A person is subject to a fine of not less than \$100 or more than
46 \$500 for violating the provisions of the bill.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, Nos. 5570, 5571, 5579, and 5656

STATE OF NEW JERSEY

DATED: JUNE 2, 2021

The Assembly Law and Public Safety Committee reports favorably an Assembly Committee Substitute for Assembly Bill Nos. 5570, 5571, 5579, and 5656.

This Assembly committee substitute requires motorists to take certain safety precautions when they are overtaking pedestrians, bicyclists, or scooter riders on this State's roadways.

The committee substitute specifically requires motor vehicle operators to approach with due caution any pedestrian, bicycle, low-speed electric bicycle, low-speed electric scooter, or other lawful personal conveyance located in the appropriate area designated for the pedestrian or conveyance. Absent other directions by a law enforcement officer, the motor vehicle operator, if possible, is to either change into a lane that is not adjacent to the pedestrian, bicycle, or scooter, or leave a reasonable and safe distance of not less than four feet while approaching the pedestrian, bicycle, or scooter until the operator can pass the pedestrian or conveyance. If these options are not possible, are prohibited by law, or are unsafe, the motor vehicle operator is required to reduce the speed of the motor vehicle to 25 miles per hour and be prepared to stop. The motor vehicle operator is authorized to pass the pedestrian, bicyclist, or scooter rider only if passing will not endanger the safety of any person on the roadway, including pedestrians, bicyclists, scooter riders, and motorists. In making the determination to pass, the committee substitute requires the motor vehicle operator to consider the size and speed of the motor vehicle, traffic conditions, weather, visibility, and the surface and width of the roadway,

A person who commits a violation of the provisions of the committee substitute which results in bodily injury is to be fined \$500 and assessed two motor vehicle penalty points. Otherwise, the violator is to be fined \$100, but is not to be assessed any penalty points.

Under the committee substitute, "pedestrian" includes a person afoot, a person in a wheelchair or motorized wheelchair, a person employed by or who contracts with any public utility company in this State, a property maintenance worker, or any other person who is permitted by law to be upon the roadway for work or recreation.

ASSEMBLY, No. 5571

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

SYNOPSIS

Imposes certain requirements on operators of motor vehicles when overtaking bicycles; establishes fine for collision with bicyclist under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/17/2021)

1 AN ACT concerning motor vehicles overtaking bicycles and
2 supplementing Title 39 of the Revised Statutes.

3

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

6

7 1. a. The operator of a motor vehicle overtaking and passing a
8 bicycle, as defined in R.S.39:4-14.5, proceeding in the same
9 direction on a highway shall comply with the requirements for
10 passing and overtaking a motor vehicle pursuant to Title 39 of the
11 Revised Statutes and shall overtake and pass a bicycle at a safe
12 distance that does not interfere with the safe operation of the
13 bicycle, taking into consideration the size and speed of the motor
14 vehicle and bicycle, traffic conditions, weather, visibility, and the
15 surface and width of the highway.

16 b. The operator of a motor vehicle shall not overtake or pass a
17 bicycle proceeding in the same direction on a highway at a distance
18 of less than three feet between any part of the motor vehicle and any
19 part of the bicycle or its operator.

20 c. If an operator of a motor vehicle is not able to comply with
21 the provisions of subsection b. of this section due to traffic or
22 roadway conditions, the operator shall slow to a speed that is
23 reasonable and prudent and may pass the bicycle only when passing
24 would not endanger the safety of the operator of the bicycle, taking
25 into consideration the size and speed of the motor vehicle and
26 bicycle, traffic conditions, weather, visibility, and the surface and
27 width of the highway.

28 d. A person who violates the provisions of this section shall be
29 subject to a fine of \$100.

30 e. If a collision occurs between a motor vehicle and a bicycle
31 causing bodily injury to the operator of the bicycle and the operator
32 of the motor vehicle is found to be in violation of subsection a., b.,
33 or c. of this section, the operator of the motor vehicle shall be
34 subject to a fine of \$400.

35

36 2. This act shall take effect on the first day of the seventh
37 month after enactment.

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STATEMENT

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42 This bill imposes certain requirements on operators of motor
43 vehicles overtaking bicycles and establishes a fine for a violation or
44 collision with a bicyclist under certain circumstances.

45 Under the provisions of this bill, the operator of a motor vehicle
46 overtaking and passing a bicycle that is proceeding in the same
47 direction on a highway is required to comply with the requirements
48 for passing and overtaking a motor vehicle under current law and is

A5571 SWAIN, STANLEY

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1 to pass and overtake a bicycle at a safe distance that does not
2 interfere with its safe operation, taking into consideration the size
3 and speed of the motor vehicle and bicycle, traffic conditions,
4 weather, visibility, and the surface and width of the highway.

5 The bill further provides that the operator of a motor vehicle is
6 not to overtake or pass a bicycle proceeding in the same direction
7 on a highway at a distance of less than three feet between any part
8 of the motor vehicle and any part of the bicycle or operator. If an
9 operator of a motor vehicle is not able to comply with this provision
10 due to traffic or roadway conditions, the operator of the motor
11 vehicle is required to slow to a speed that is reasonable and prudent
12 and may pass the bicycle only when passing would not endanger the
13 safety of the operator of the bicycle, taking into consideration the
14 size and speed of the motor vehicle and bicycle, traffic conditions,
15 weather, visibility, and the surface and width of the highway.

16 A person who violates the provisions of the bill is subject to a
17 fine of \$100. If a collision occurs between a motor vehicle and a
18 bicycle causing bodily injury to the operator of the bicycle and the
19 operator of the motor vehicle is found to be in violation of the bill's
20 provisions, the operator of the motor vehicle is subject to a fine of
21 \$400.

ASSEMBLY, No. 5579

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

**Assemblywoman LISA SWAIN
District 38 (Bergen and Passaic)**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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

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

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

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

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

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

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

32 c. As used in this section:

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

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

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

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

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

STATEMENT

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

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

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

Under the bill, "pedestrian" includes, but is not limited to, a pedestrian as defined under current law, a person in a wheelchair or motorized wheelchair, a person employed by or who contracts with any public utility company in this State, a property maintenance worker, or any other person who is permitted by law to be upon the roadway for work or recreation.

ASSEMBLY, No. 5656

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 12, 2021

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Co-Sponsored by:

Assemblyman Verrelli

SYNOPSIS

Requires certain actions by motor vehicle operators when overtaking or passing pedestrians, bicycles, or scooters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/1/2021)

1 AN ACT concerning motor vehicles overtaking certain pedestrians,
2 bicyclists, and scooter riders and supplementing Title 39 of the
3 Revised Statutes.

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

7
8 1. a. As used in this section:

9 "Bicycle" shall have the same meaning as set forth in R.S.39:4-
10 14.5.

11 "Low-speed electric bicycle" shall have the same meaning as set
12 forth in R.S.39:1-1.

13 "Low-speed electric scooter" shall have the same meaning as set
14 forth in R.S.39:1-1.

15 "Pedestrian" shall include, but not be limited to, a pedestrian as
16 defined in R.S.39:1-1, a person in a wheelchair or motorized
17 wheelchair as defined in R.S.39:1-1, a person employed by or who
18 contracts with any public utility company in this State, a property
19 maintenance worker, or any other person who is permitted by law to
20 be upon the roadway for work or recreation.

21 b. The operator of a motor vehicle approaching a pedestrian,
22 bicycle, low-speed electric bicycle, low-speed electric scooter, or
23 any other lawful personal conveyance on the roadways of this State
24 shall approach with due caution and shall, absent any other
25 direction by a law enforcement officer, proceed as follows:

26 (1) when possible under existing safety and traffic conditions,
27 make a lane change into a lane not adjacent to the pedestrian or
28 personal conveyance;

29 (2) if a lane change cannot be made pursuant to paragraph (1) of
30 this subsection, leave a reasonable and safe distance of not less than
31 four feet while approaching the pedestrian or personal conveyance
32 and maintain a distance of at least four feet until the motor vehicle
33 has safely passed the conveyance; or

34 (3) if it is not possible, prohibited by law, or unsafe to make a
35 lane change pursuant to paragraph (1) of this subsection or to leave
36 a reasonable and safe distance of not less than four feet pursuant to
37 paragraph (2) of this subsection, the motor vehicle operator shall
38 reduce the speed of the motor vehicle to 25 miles per hour or a
39 lower posted speed and be prepared to stop; the operator may pass
40 the pedestrian or personal conveyance only if, considering the size
41 and speed of the motor vehicle, traffic conditions, weather,
42 visibility, and the surface and width of the roadway, passing does
43 not endanger the safety of a pedestrian, operator of the personal
44 conveyance, or any other person on the roadway.

45 c. A person who commits a violation of the provisions of this
46 section which results in bodily injury as defined in N.J.S.2C:11-1
47 shall be fined \$500 and assessed two motor vehicle penalty points;
48 if no bodily injury results, the violator shall be fined \$100.

1 d. Nothing in this section shall be construed to preclude or limit
2 a prosecution or conviction for a violation of any offense defined by
3 the laws of this State or for any violation of Title 39 of the Revised
4 Statutes.

5

6 2. This act shall take effect on the first day of the seventh
7 month following enactment.

8

9

10 STATEMENT

11

12 This bill requires motorists to take certain safety precautions
13 when they are overtaking pedestrians, bicyclists, or scooter riders
14 on this State's roadways.

15 The bill specifically requires motor vehicle operators to approach
16 with due caution any pedestrian, bicycle, low-speed electric bicycle,
17 low-speed electric scooter, or other lawful personal conveyance.
18 Absent other directions by a law enforcement officer, the motor
19 vehicle operator, if possible, is to either change into a lane that is
20 not adjacent to the pedestrian, bicycle, or scooter, or leave a
21 reasonable and safe distance of not less than four feet while
22 approaching the pedestrian, bicycle, or scooter until the operator
23 can pass the pedestrian or conveyance. If these options are not
24 possible, are prohibited by law, or are unsafe, the motor vehicle
25 operator is required to reduce the speed of the motor vehicle to 25
26 miles per hour and be prepared to stop. The motor vehicle operator
27 is authorized to pass the pedestrian, bicyclist, or scooter rider only
28 if passing will not endanger the safety of any person on the
29 roadway, including pedestrians, bicyclists, scooter riders, and
30 motorists. In making the determination to pass, the bill requires the
31 motor vehicle operator to consider the size and speed of the motor
32 vehicle, traffic conditions, weather, visibility, and the surface and
33 width of the roadway,

34 A person who commits a violation of the provisions of the bill
35 which results in bodily injury is to be fined \$500 and assessed two
36 motor vehicle penalty points under the bill. Otherwise, the violator
37 is to be fined \$100.

38 Under the bill, "pedestrian" includes a person afoot, a person in a
39 wheelchair or motorized wheelchair, a person employed by or who
40 contracts with any public utility company in this State, a property
41 maintenance worker, or any other person who is permitted by law to
42 be upon the roadway for work or recreation.

SENATE, No. 2208

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator ANTHONY M. BUCCO

District 25 (Morris and Somerset)

SYNOPSIS

Imposes certain requirements on operators of motor vehicles when overtaking bicycles; establishes fine for collision with bicyclist under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/13/2021)

1 AN ACT concerning motor vehicles overtaking bicycles and
2 supplementing Title 39 of the Revised Statutes.

3

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

6

7 1. a. The operator of a motor vehicle overtaking and passing a
8 bicycle, as defined in R.S.39:4-14.5, proceeding in the same
9 direction on a highway shall comply with the requirements for
10 passing and overtaking a motor vehicle pursuant to Title 39 of the
11 Revised Statutes and shall overtake and pass a bicycle at a safe
12 distance that does not interfere with the safe operation of the
13 bicycle, taking into consideration the size and speed of the motor
14 vehicle and bicycle, traffic conditions, weather, visibility, and the
15 surface and width of the highway.

16 b. The operator of a motor vehicle shall not overtake or pass a
17 bicycle proceeding in the same direction on a highway at a distance
18 of less than three feet between any part of the motor vehicle and any
19 part of the bicycle or its operator.

20 c. If an operator of a motor vehicle is not able to comply with
21 the provisions of subsection b. of this section due to traffic or
22 roadway conditions, the operator shall slow to a speed that is
23 reasonable and prudent and may pass the bicycle only when passing
24 would not endanger the safety of the operator of the bicycle, taking
25 into consideration the size and speed of the motor vehicle and
26 bicycle, traffic conditions, weather, visibility, and the surface and
27 width of the highway.

28 d. A person who violates the provisions of this section shall be
29 subject to a fine of \$100.

30 e. If a collision occurs between a motor vehicle and a bicycle
31 causing bodily injury to the operator of the bicycle and the operator
32 of the motor vehicle is found to be in violation of subsection a., b.,
33 or c. of this section, the operator of the motor vehicle shall be
34 subject to a fine of \$400.

35

36 2. This act shall take effect on the first day of the seventh
37 month after enactment.

38

39

40

STATEMENT

41

42 This bill imposes certain requirements on operators of motor
43 vehicles overtaking bicycles and establishes a fine for a violation or
44 collision with a bicyclist under certain circumstances.

45 Under the provisions of this bill, the operator of a motor vehicle
46 overtaking and passing a bicycle that is proceeding in the same
47 direction on a highway is required to comply with the requirements
48 for passing and overtaking a motor vehicle under current law and is

1 to pass and overtake a bicycle at a safe distance that does not
2 interfere with its safe operation, taking into consideration the size
3 and speed of the motor vehicle and bicycle, traffic conditions,
4 weather, visibility, and the surface and width of the highway.

5 The bill further provides that the operator of a motor vehicle is
6 not to overtake or pass a bicycle proceeding in the same direction
7 on a highway at a distance of less than three feet between any part
8 of the motor vehicle and any part of the bicycle or operator. If an
9 operator of a motor vehicle is not able to comply with this provision
10 due to traffic or roadway conditions, the operator of the motor
11 vehicle is required to slow to a speed that is reasonable and prudent
12 and may pass the bicycle only when passing would not endanger the
13 safety of the operator of the bicycle, taking into consideration the
14 size and speed of the motor vehicle and bicycle, traffic conditions,
15 weather, visibility, and the surface and width of the highway.

16 A person who violates the provisions of the bill is subject to a
17 fine of \$100. If a collision occurs between a motor vehicle and a
18 bicycle causing bodily injury to the operator of the bicycle and the
19 operator of the motor vehicle is found to be in violation of the bill's
20 provisions, the operator of the motor vehicle is subject to a fine of
21 \$400.

SENATE, No. 1460

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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

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

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

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

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

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

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

32 c. As used in this section:

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

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

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

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

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

1 STATEMENT

2

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

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

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

26 Under the bill, "pedestrian" includes, but is not limited to, a
27 pedestrian as defined under current law, a person in a wheelchair or
28 motorized wheelchair, a person employed by or who contracts with
29 any public utility company in this State, a property maintenance
30 worker, or any other person who is permitted by law to be upon the
31 roadway for work or recreation.

SENATE, No. 1463

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Requires motorists operating vehicles to maintain reasonable and safe distance when overtaking pedestrians and certain bicycles.

CURRENT VERSION OF TEXT

As introduced.



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

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

7
8 1. a. (1) The driver of a vehicle overtaking a bicycle
9 proceeding in the same direction as the vehicle shall leave a
10 reasonable and safe distance between the vehicle and the bicycle of
11 not less than four feet until the vehicle has safely passed the
12 bicycle, except when the bicycle is traveling in a designated bicycle
13 path.

14 (2) The driver of a vehicle overtaking a pedestrian shall leave a
15 reasonable and safe distance between the vehicle and the pedestrian
16 of not less than four feet until the vehicle has safely passed the
17 pedestrian.

18 b. For the purposes of this section, "pedestrian" shall include,
19 but not be limited to, a pedestrian as defined in R.S.39:1-1, a person
20 in a wheelchair or motorized wheelchair as defined in R.S.39:1-1, a
21 person employed by or who contracts with any public utility
22 company in this State, a property maintenance worker, or any other
23 person who is legally permitted to be upon the roadway for work or
24 recreation.

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

27
28 2. This act shall take effect on the first day of the seventh
29 month following enactment.

30
31
32 **STATEMENT**

33
34 This bill requires the driver of a vehicle to maintain a reasonable
35 and safe distance of at least four feet when overtaking a pedestrian
36 or overtaking a bicycle traveling in the same direction as the
37 vehicle. A driver is not required to maintain a distance of at least
38 four feet when overtaking a bicycle traveling in a dedicated bicycle
39 path.

40 The bill defines a pedestrian to include: a pedestrian, a person in
41 a wheelchair or motorized wheelchair, a person employed by or
42 who contracts with a public utility company in the State, a property
43 maintenance worker, or any other person legally permitted to be
44 upon the roadway for work or recreation.

45 A person is subject to a fine of not less than \$100 or more than
46 \$500 for violating the provisions of the bill.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 2208, 1460, and 1463**

STATE OF NEW JERSEY

DATED: MAY 20, 2021

The Senate Law and Public Safety Committee reports favorably a Senate Committee Substitute for Senate Bill Nos. 2208, 1460, and 1463.

This Senate committee substitute requires motorists to take certain safety precautions when they are overtaking pedestrians, bicyclists, or scooter riders on this State's roadways.

The committee substitute specifically requires motor vehicle operators to approach with due caution any pedestrian, bicycle, low-speed electric bicycle, low-speed electric scooter, or other lawful personal conveyance. Absent other directions by a law enforcement officer, the motor vehicle operator, if possible, is to either change into a lane that is not adjacent to the pedestrian, bicycle, or scooter, or leave a reasonable and safe distance of not less than four feet while approaching the pedestrian, bicycle, or scooter until the operator can pass the pedestrian or conveyance. If these options are not possible, are prohibited by law, or are unsafe, the motor vehicle operator is required to reduce the speed of the motor vehicle to 25 miles per hour and be prepared to stop. The motor vehicle operator is authorized to pass the pedestrian, bicyclist, or scooter rider only if passing will not endanger the safety of any person on the roadway, including pedestrians, bicyclists, scooter riders, and motorists. In making the determination to pass, the committee substitute requires the motor vehicle operator to consider the size and speed of the motor vehicle, traffic conditions, weather, visibility, and the surface and width of the roadway,

A person who commits a violation of the provisions of the committee substitute which results in bodily injury is to be fined \$500 and assessed two motor vehicle penalty points. Otherwise, the violator is to be fined \$100, but is not to be assessed any penalty points.

Under the committee substitute, "pedestrian" includes a person afoot, a person in a wheelchair or motorized wheelchair, a person employed by or who contracts with any public utility company in this State, a property maintenance worker, or any other person who is permitted by law to be upon the roadway for work or recreation.

STATEMENT TO

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 2208, 1460, and 1463**

with Senate Floor Amendments
(Proposed by Senator DIEGNAN)

ADOPTED: JUNE 30, 2021

The Senate Committee Substitute for Senate Nos. 2208, 1460, and 1463 requires motorists to take certain safety precautions when they are overtaking pedestrians, bicyclists, or scooter riders on this State's roadways. The committee substitute specifically requires motor vehicle operators to approach with due caution any pedestrian, bicycle, low-speed electric bicycle, low-speed electric scooter, or other lawful personal conveyance on the roadways of this State. The committee substitute requires the operator to make a lane change or follow the conveyance from a safe distance. If these options are not available, the bills sets forth the circumstances under which the operator is authorized to pass the conveyance.

These Senate amendments narrow the scope of the personal conveyances to which the provisions of the bill apply to those located or operating in an area designated for pedestrians or personal conveyances, as appropriate.

These Senate amendments make the Senate Committee Substitute for Senate Nos. 2208, 1460, and 1463 identical to the Assembly Committee Substitute for Assembly Nos. 5570, 5571, 5579, and 5656.

Governor Murphy Takes Action on Legislation

08/5/2021

TRENTON - Today, Governor Murphy signed the following bills into law.

S-2798/A-4430 (Vitale, Ruiz/Conaway, Vainieri Huttie, McKnight) – Revises requirements for long-term care facilities to establish outbreak response plans

S-3049/A-5176 (Sweeney, Beach/Taliaferro, Mukherji, Space, Armato) – Establishes regional municipal court pilot program

A-4909/S-3090 (Dancer, Caputo/Gopal, Sarlo) – Authorizes fixed odds wagering on horse races through fixed odds wagering system

ACS for A-5570, 5571, 5579, and 5656/SCS for S-2208, 1460, and 1463 (Karabinchak, Swain, Stanley, Murphy/Diegnan, A.M. Bucco, Oroho, Cruz-Perez) – Requires certain actions by motor vehicle operators when overtaking or passing pedestrians, bicycles, or scooters