

CHAPTER 25
MOTORIZED BICYCLES

Authority

N.J.S.A. 39:2-3, 39:3-10a, 39:4-14.3, 39:4-14.3a et seq. and 39:5-30.

Source and Effective Date

R.2005 d.336, effective September 7, 2005.
See: 37 N.J.R. 1171(a), 37 N.J.R. 3853(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 25, Motorized Bicycles, expires on March 6, 2011. See: 42 N.J.R. 2314(a).

Chapter Historical Note

Chapter 25, Motorized Bicycles, was adopted as R.1978 d.58, effective February 21, 1978. See: 10 N.J.R. 19(a), 10 N.J.R. 121(d).

Subchapter 8, Procedure to Regulate Operation of Motorized Bicycles on Specific Highways, was adopted as R.1979 d.3, effective January 8, 1979. See: 10 N.J.R. 507(a), 11 N.J.R. 78(a).

Subchapter 6, Point System Regulation, was repealed by R.1983 d.360, effective September 6, 1983. See: 15 N.J.R. 1004(a), 15 N.J.R. 1481(b).

Pursuant to Executive Order No. 66(1978), Subchapter 8, Procedure to Regulate Operation of Motorized Bicycles on Specific Highways, was readopted as R.1983 d.608, effective December 14, 1983. See: 15 N.J.R. 1440(a), 16 N.J.R. 52(a).

Subchapter 9, Helmets, was adopted as R.1983 d.489, effective November 7, 1983. See: 15 N.J.R. 684(a), 15 N.J.R. 1865(d).

Pursuant to Executive Order No. 66(1978), Chapter 25, Motorized Bicycles, was readopted by R.1990 d.210, effective March 16, 1990. See: 22 N.J.R. 323(a), 22 N.J.R. 1270(c).

Pursuant to Executive Order No. 66(1978), Chapter 25, Motorized Bicycles, was readopted as R.1995 d.204, effective March 15, 1995. See: 27 N.J.R. 440(a), 27 N.J.R. 1619(a).

Pursuant to Executive Order No. 66(1978), Chapter 25, Motorized Bicycles, was readopted as R.2000 d.152, effective March 14, 2000. See: 31 N.J.R. 3924(a), 32 N.J.R. 1401(a).

Chapter 25, Motorized Bicycles, was readopted by R.2005 d.336, effective September 7, 2005. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. DEFINITIONS

13:25-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Applicant” means every person who has made application for a motorized bicycle license as provided by N.J.S.A. 39:4-14.3.

“Chief Administrator” means the Chief Administrator of the New Jersey Motor Vehicle Commission.

“Commission” means the New Jersey Motor Vehicle Commission established by section 4 of P.L. 2003, c.13 (N.J.S.A. 39:2A-4).

“Examinations” means a test or series of tests designed to check the applicant’s visual acuity, color perception, knowledge of laws and safe operation of motorized bicycles administered by the Motor Vehicle Commission.

“Motorized bicycle” means a pedal bicycle having a helper motor characterized in that either the maximum piston displacement is less than 50 c.c. or said motor is rated at no more than 1.5 brake horsepower and said bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface.

“Motorized bicycle driving test” means that portion of the motorized bicycle license examination wherein the applicant for a New Jersey motorized bicycle license demonstrates his or her ability to exercise safe and reasonable control in the operation of a motorized bicycle.

“Motorized bicycle learner’s permit” means a permit issued by the Chief Administrator of the Motor Vehicle Commission to a person 15 years of age or older in accordance with N.J.S.A. 39:4-14.3 for the purpose of fitting himself or herself to become a motorized bicycle driver.

“Motorized bicycle license” means a motorized bicycle license issued by the Chief Administrator of the Motor Vehicle Commission, in accordance with N.J.S.A. 39:4-14.3, to an individual who is 15 years of age or older and who does not have a New Jersey driver license of any class other than an agricultural license issued pursuant to N.J.S.A. 39:3-11.1.

“Permit” means a motorized bicycle learner’s permit issued under the provisions of N.J.S.A. 39:4-14.3. Anyone operating a motorized bicycle under a permit for the purpose of fitting himself or herself to become a motorized bicycle driver shall limit said operation to daylight hours under any circumstances.

“United States” means any state, territory or possession of the United States and the District of Columbia, including the Commonwealth of Puerto Rico, the Virgin Islands of the United States, American Samoa and Guam.

Amended by R.1995 d.204, effective April 17, 1995.

See: 27 N.J.R. 440(a), 27 N.J.R. 1619(a).

Amended by R.2000 d.152, effective April 17, 2000.

See: 31 N.J.R. 3924(a), 32 N.J.R. 1401(a).

In “Director”, substituted a reference to the Department of Transportation for a reference to the Department of Law and Public Safety; and inserted “Division”.

Amended by R.2005 d.336, effective October 3, 2005.

See: 37 N.J.R. 1171(a), 37 N.J.R. 3853(a).

Added definitions “Chief Administrator” and “Commission”; deleted definitions “Director” and “Division”; rewrote definitions “Examinations”, “Motorized bicycle learner’s permit”, and “Motorized bicycle license”.

SUBCHAPTER 2. MOTORIZED BICYCLE LEARNER’S PERMITS

13:25-2.1 Requirements for issuance of motorized bicycle learner’s permits

In addition to any other requirements imposed by Title 39 of the Revised Statutes and the regulations promulgated thereunder, no motorized bicycle learner’s permit shall be issued by the Commission unless the applicant therefor submits proof of identity and date of birth and proof that the applicant’s presence in the United States is authorized under Federal law in the manner set forth in N.J.A.C. 13:21-8.2(a), (b) and (c).

New Rule, R.1994 d.486, effective September 19, 1994.

See: 26 N.J.R. 2522(a), 26 N.J.R. 3874(a).

Emergency amendment, R.2003 d.280, effective June 16, 2003 (to expire August 15, 2003).

See: 35 N.J.R. 2946(a).

Substituted “Commission” for “Division” and amended N.J.A.C. reference.

Adopted concurrent amendment, R.2003 d.365, effective August 15, 2003.

See: 35 N.J.R. 2946(a), 35 N.J.R. 4299(a).

Provisions of R.2003 d.280 adopted without change.

13:25-2.2 Prerequisites for validation of motorized bicycle learner’s permits

(a) No motorized bicycle learner’s permit shall be validated for practice driving until the following prerequisites have been complied with by the holder:

1. Successful completion of a law-knowledge test; and
2. Minimum standard in visual acuity is attained.

Recodified from 13:25-2.1 and amended by R.1994 d.486, effective September 19, 1994.

See: 26 N.J.R. 2522(a), 26 N.J.R. 3874(a).

Prior text at 13:25-2.2, Provisional requirements, repealed.