

**TOWNSHIP OF SADDLE BROOK**

**COUNTY OF BERGEN**

**ORDINANCE NO. 1745-24**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 196 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK, ENTITLED “VEHICLES AND TRAFFIC”**

**BE IT ENACTED AND ORDAINED**, by the Township Council of the Township of Saddle Brook those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

**ARTICLE XVI. ELECTRIC POWERED MODES OF TRANSPORTATION OPERATION AND PARKING.**

**196-72. SCOPE.**

The provisions of this article shall apply whenever an electric powered mode of transportation other than a licensed electric powered mode of transportation is operated upon any street or upon any public way within the Township of Saddle Brook, subject only to those exceptions stated in this article. Where provisions of this article contradict and/or overlap with any state laws, the state law shall govern.

**196-73. DEFINITIONS.**

As used in this article, the following terms shall have the meanings indicated:

**ELECTRIC POWERED MODE OF TRANSPORTATION**

An electric powered mode of transportation shall include any electric powered mode of transportation including any motor that is capable of propelling the device with or without human propulsion.

## **USER**

Any person who is operating an electric powered mode of transportation.

### **196-74. APPLICATION OF TRAFFIC LAWS TO ELECTRIC POWERED MODES OF TRANSPORTATION.**

Every person riding an electric powered mode of transportation upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state and the traffic provisions of this Code applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature are inapplicable to such persons.

### **196-75. ELECTRIC POWERED MODE OF TRANSPORTATION RULES AND REGULATIONS.**

#### **A. Obedience to traffic control devices.**

- (1) Any person operating a battery powered mode of transportation shall obey the instructions of official traffic control signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- (2) Whenever authorized signs are erected indicating that a turning movement is restricted, no person operating an electric powered mode of transportation shall disobey the direction of any such sign, except where that person dismounts from the electric powered mode of transportation to make the turn, in which event sch person shall then obey the regulations applicable to pedestrians.
- (3) No person shall ride or operate an electric powered mode of transportation in any direction except that permitted of vehicular traffic traveling on the same side of the roadway.

(4) Any person operating an electric powered mode of transportation shall stop for pedestrians in crosswalks.

B. Riding on roadways and bicycle paths generally.

(1) Every person operating an electric powered mode of transportation upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction, unless an exclusive bicycle lane is provided.

(2) Persons riding an electric powered mode of transportation upon a roadway shall not ride more than two abreast except on paths of parts of roadways set aside for the exclusive use of bicycles.

(3) Whenever a bicycle lane has been established on a roadway, any person operating an electric powered mode of transportation upon the roadway at a speed less than the normal speed of traffic moving in the same direction shall ride within the bicycle lane, except that such a person may move out of the lane under any of the following situations:

(a) Whenever overtaking or passing another electric scooter, bicycle, vehicle, or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.

(b) When preparing for a turn at an intersection or into a private road or driveway.

(c) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

C. Restrictions. No person younger than 16 shall operate an electric powered mode of transportation.

D. Manner of riding an electric powered mode of transportation. No electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.

- E. Speed restrictions. No person shall operate an electric powered mode of transportation at a speed greater than is reasonable and prudent under the condition.
- F. Yielding right-of-way from a bicycle path. Every person operating an electric powered mode of transportation on a bike path that is about to enter or cross a roadway shall yield the right-of-way to all traffic on such roadway.
- G. Leaving bicycle lanes. No person operating an electric powered mode of transportation shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.
- H. Electric powered modes of transportation emerging from alleys or driveways; yielding right-of-way. The operator of an electric powered mode of transportation emerging from an alleyway, driveway, or building shall, upon approaching a sidewalk area extending across any alleyway or driveway, yield the right-of-way to all pedestrians or bicyclists approaching on the sidewalk or sidewalk area. Upon entering the roadway, the user shall yield the right-of-way to all vehicles approaching on the roadway.
- I. Clinging to vehicles prohibited. No person riding upon an electric powered mode of transportation shall attach the same or himself to any streetcar or vehicle upon a roadway.
- J. No person shall ride an electric powered mode of transportation upon a sidewalk, which is defined in N.J.S.A. 39:1-1 as “that portion of a highway intended for the use of pedestrians, between the curb line or the lateral line of a shoulder, or if none, the lateral line of the roadway and the adjacent right-of-way line.”

- K. Carrying articles. No person operating an electric powered mode of transportation shall carry any package, bundle, or article which prevents the user from keeping both hands upon the steering equipment.
- L. Parking. No person shall park an electric powered mode of transportation upon a street other than upon the roadway against the curb or in a designated bicycle or electric powered mode of transportation parking area or upon the sidewalk in a rack to support the electric powered mode of transportation, or against a building or at the curb in such manner as to afford the least obstruction to pedestrian traffic.
- M. Lamps and equipment non-electric powered modes of transportation.
- (1) Electric powered mode of transportation in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front with a lamp emitting a red light visible from a distance of 500 feet to the rear.
  - (2) An electric powered mode of transportation shall not be equipped with, nor shall any person use, any siren or whistle upon an electric powered mode of transportation.
  - (3) Electric powered modes of transportation shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.
  - (4) Electric powered modes of transportation shall be equipped with a bell or other audible signal for the purposes of overtaking and passing any pedestrians, bicycles, or other electric scooters.
  - (5) Electric powered modes of transportation shall be equipped with a kick stand to prevent them from toppling over when parked.
- N. Electric powered modes of transportation parking, generally.

- (1) Electric powered modes of transportation are permitted to be secured at the bicycle racks in the Township for up to seven consecutive days without being utilized.
- (2) Electric powered modes of transportation shall be parked in designated electric powered modes of transportation parking areas if they are available and advertised as such by either signage, pavement markings, or racks.
- (3) Electric powered modes of transportation may be attached or secured to the bicycle rack with a U-lock, chain lock, or any type of lock made specifically for bicycles. No person shall attach or secure an electric powered mode of transportation to any fixed object not suited for electric powered modes of transportation parking. No person shall leave an electric powered mode of transportation lying on or standing upon the sidewalk in such a manner as to hinder or impede pedestrians.

O. Abandonment of electric powered modes of transportation, generally.

- (1) An electric powered mode of transportation may be deemed abandoned by the Township if:
  - (a) It has been parked for a period of seven or more consecutive calendar days in the same location; or
  - (b) It appears visually to be in a state of prolonged disuse such that it has deflated tires, damaged or missing equipment making it inoperable, accumulated leaves and debris associated with it; or
  - (c) It is found in any other condition in which an electric powered mode of transportation would be deemed abandoned.
- (2) It shall be unlawful for any person to abandon any electric powered mode of transportation within the Township.

(3) In the event that an electric powered mode of transportation is deemed to be abandoned by the Township's Police Department, the Department shall have the authority to place an abandoned electric scooter notice, in the form of an adhesive sticker, on the electric scooter itself to notify the owner that said electric scooter is deemed to be abandoned pursuant to this subsection and that it will be removed and disposed of if not removed.

(4) The notice in the form of an adhesive sticker shall state the following:

(a) The date after which the electric powered mode of transportation may be removed if the owner/user does not remove and reclaim it; and

(b) The name and contact information for a Township representative to contact in case the electric powered mode of transportation has been mistakenly identified as abandoned.

(5) Once an abandoned notice sticker has been placed on the electric scooter, the owner of the electric powered mode of transportation shall have 14 calendar days as set forth on the notice sticker to remove the electric powered mode of transportation from the location. If it is not removed within the fourteen-calendar-day notice period as provided on the sticker, it may thereafter be removed from its location by any means necessary and disposed of by the Township in accordance with the law.

P. Electric powered mode of transportation charging. No electric powered mode of transportation battery shall be recharged in the public right-of-way without prior written authorization from the Township.

Q. Electric disposal. All electric powered modes of transportation shall be disposed of in a manner in accordance with state and federal regulations as they relate to hazardous materials disposal.

- R. Electric powered modes of transportation shall not be operated within public parks, and riders must dismount from the electric powered mode of transportation and walk it if necessary to traverse the park to reach their desired destination.
- S. No person may operate an electric powered mode of transportation without a helmet.

**196-76. VIOLATIONS AND PENALTIES.**

- A. Except as detailed in Subsection B below, in the event that any individual violates the terms of this article, he/she shall be subject to a fine in the Municipal Court of the Township of Saddle Brook in an amount of \$100.00.
- B. If the offense is for riding on a sidewalk; failing to obey traffic control devices; riding in any direction other than the direction permitted for vehicular traffic; or carrying more persons at one time than the number for which the vehicle is equipped, the penalty for the first offense shall be \$20.00; the penalty for the second offense shall be \$100.00; the penalty for the third offense shall be \$500.00.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.