

## **ORDINANCE NO. 6, 2025**

AN ORDINANCE REGULATING BICYCLES, LOW-SPEED ELECTRIC BICYCLES, MOTORIZED BICYCLES, AND LOW-SPEED ELECTRIC SCOOTERS WITHIN THE CITY OF LINWOOD

**WHEREAS**, the Common Council of the City of Linwood recognizes the proliferating of electric bicycles, motorized bicycles, and electric scooters; and,

**WHEREAS**, the Common Council seeks to promote the safe and responsible use of electric bicycles and electric scooters in accordance with the New Jersey State Title 39 traffic laws;

**NOW THEREFORE BE IT ORDAINED**, by the Common Council of the City of Linwood, County of Atlantic, State of New Jersey, as follows:

### **SECTION 1: Definitions.**

As used in this Chapter, the following terms, consistent with NJ Statutes and RS39:1-1, shall have the definitions indicated:

The term "bicycle" as used in this section shall mean a device having wheels connected by a frame of metal or wood, and arranged to be propelled by human power.

Low-Speed Electric Bicycle - A two-or-three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts that meets the requirements of one of the following classifications:

- 1) "Class-1 low-speed electric bicycle," equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; or
- 2) "Class-2 low speed electric bicycle," which means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 mile per hour.

"Class 3 - Motorized Bicycle," a pedal bicycle having a helper motor characterized in that either the maximum piston displacement is less than 50cc or said motor is rated at no more than 1.5 brake horsepower or is powered by an electric drive motor and said bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface or a pedal bicycle having an electric motor that is capable of propelling the bicycle in excess of 20 miles per hour with a maximum

motor-powered speed of no more than 28 miles per hour on a flat surface. This term shall not include a Low-Speed Electric Bicycle or low-speed electric scooter as define in the Ordinance.

"Low-Speed Electric Scooter" means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of nineteen (19) miles per hour.

**SECTION 2: Operation of Bicycles, Low-Speed Electric Bicycles, Motorized Bicycles, or Low-Speed Electric Scooters within Linwood.**

1. Obedience to traffic-control devices. Any person operating a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer. Operators of a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter shall ride as near to the right-side of the traveled roadway as practicable, exercising due care when passing a pedestrian, a standing vehicle or one proceeding in the same direction.
2. Lights and reflectors. Every bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter shall have reflectors in the front and back. Every bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter shall, when in use at nighttime, 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, and with a lamp on the rear which shall emit a red light visible from a distance of at least 500 feet to the rear.
3. Audible sound/signal. No person shall operate a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that such bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter shall not be equipped with, nor shall any person use upon a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter any siren or whistle.
4. Helmet. All persons under the age of 17 are required to wear a protective helmet while operating a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter. N.J.S.A. 39:4-10.1
5. Reckless or careless riding. No person shall ride or operate a bicycle, low-speed electric bicycle, motorized

- bicycle, or low-speed electric scooter in a reckless or careless manner which endangers or is likely to endanger the safety or welfare of themselves or other persons or property.
6. No person operating a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter shall attach themselves to any streetcar or vehicle.
  7. The operator of a low-speed electric bicycle, motorized bicycle, or low-speed electric scooter shall not allow others to hitch or hold onto an electric bicycle, motorized bicycle or low-speed electric scooter during operation.
  8. Passengers. It shall be prohibited for a person operating a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter to allow another person to ride as a passenger, unless the person is carried in a proper bike seat, trailer or other accessory that complies with current regulations and contains adequate provision for retaining the passenger in place and for protecting the passenger in place and for protecting the passenger. The passenger shall also be required to wear a properly fitted and fastened helmet pursuant to N.J.S.A. 39:4-10.1
  9. Speed. No person shall operate a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter at a speed greater than is reasonable and prudent under the conditions then existing.
  10. Riding in a group. Persons operating bicycles, low-speed electric bicycles, motorized bicycles, or low-speed electric scooters shall ride in a single file and yield the right-of-way to pedestrians.
  11. Cell phones. The use of handheld cell phones, or similar devices, while operating a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter are prohibited.
  12. Brakes. Every bicycle, low-speed electric bicycle, motorized bicycle, and low-speed electric scooter shall be equipped with a brake which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.
  13. Music. Playing music or other audio through speakers or other audio device at a volume that compromises safe operating conditions is prohibited.
  14. Carrying Articles. No person operating a bicycle, low-speed electric bicycle, motorized bicycle, and low-speed electric scooter shall carry any package, bundle, or article which prevents the user from keeping both hands upon the handlebars.

### **SECTION 3: Labels & Modification/Tampering thereof.**

- 1) All low-speed electric bicycles, motorized bicycles, and low-speed electric scooters shall be affixed in a prominent location with a label displaying their classification, top assisted speed, and motor wattage, and tampering with

these specifications is prohibited without updating the label.

- 2) Any modification or tampering with an electric bicycle, motorized bicycle, and low-speed electric scooter that alters its motor-powered speed capability without updating the label to reflect the new specifications is prohibited.

#### **SECTION 4: Parking and Storage.**

1. Bicycles, low-speed electric bicycles, motorized bicycles, and low-speed electric scooters must be parked in designated bicycle parking areas. They must not obstruct pedestrian walkways.
2. Low-speed electric bicycles, motorized bicycles, or low-speed electric scooters must be stored in a safe place to prevent fire hazards associated with lithium-ion batteries which include:
  - a. Storing low-speed electric bicycles, motorized bicycles, or low-speed electric scooters away from flammable materials and in well-ventilated areas.
  - b. Avoid overcharging batteries and following manufacturer guidelines for battery maintenance.
  - c. Regularly inspecting batteries for damage and properly disposing of defective batteries.

#### **SECTION 5: Prohibited Locations: bicycles, low-speed electric bicycles, motorized bicycles, or low-speed electric scooters.**

Bicycles, low-speed electric bicycles, motorized bicycles, or low-speed electric scooters, to include any electric powered, gas powered or motorized vehicles, are prohibited from being operated within or upon any City park or recreation area.

#### **SECTION 6: Motorized Bicycles.**

Motorized bicycles are prohibited, unless such vehicle is specifically authorized by New Jersey Motor Vehicle Commission and is properly registered and insured, and can only be operated by licensed operators, on the roadways in accordance with the New Jersey Motor Vehicle Code. Operators are required to wear a protective helmet pursuant to applicable State law.

#### **SECTION 7: Abandonment of bicycles, low-speed electric bicycles, motorized bicycles, or low-speed electric scooters.**

1. It shall be unlawful for any person, user, or owner to abandon any bicycle, low-speed electric bicycle,

motorized bicycle, or low-speed electric scooter within the City.

- 2.A bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter may be deemed abandoned if:
  - a. It has been parked for a period of forty-eight (48) or more consecutive hours, except in a designated bicycle or low-speed scooter racks and or approved marked areas; or
  - b. It appears visually to be in a state of prolonged disuse, such as but not limited to that it has deflated tires, damaged or missing battery or equipment make it inoperable, or accumulated debris; or
  - c. It is parked, placed, or left on the roadway or in any public right-of-way in violation of this Ordinance.
3. In the event that a bicycle, low-speed electric bicycle, motorized bicycle, or low-speed electric scooter is deemed to be abandoned, as defined herein, the City's Department of Public Works or the City's Police Department shall have the authority to seize and impound same pursuant to this section and remove it from any public space.

#### **SECTION 8. Duty of Parent or Guardian.**

It shall be unlawful for any parent or guardian to permit any minor child for whom they are a parent or guardian to violate any provision of the Chapter.

#### **SECTION 9. Penalties.**

Any person who violates any provision of this Chapter shall, upon first conviction, be liable to a penalty of \$50.00, and upon second or subsequent conviction shall be liable to a penalty of \$100.00. No court appearance shall be required for a first or second alleged offense but will be required for a third or subsequent alleged offense.

**SECTION 10:** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**SECTION 11:** Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

**SECTION 12:** This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

*FIRST READING: August 13, 2025*  
*PUBLICATION: August 19, 2025*  
*PASSAGE: September 10, 2025*

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on August 13, 2025 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on September 10, 2025.

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LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

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DARREN MATIK, MAYOR