

ORDINANCE 1289
ORDINANCE OF THE MAYOR AND BOROUGH COMMISSIONERS OF THE
BOROUGH OF DEAL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER 10 OF THE TRAFFIC CODE 10.37

An Ordinance Regulating the Use of Electric Bikes and E-Scooters within the Borough of Deal

WHEREAS, the Board Commissioners of the Borough of Deal recognizes the increasing popularity and usage of electric bikes (e-bikes) and electric scooters (e-scooters) within the community; and

WHEREAS, the Board Commissioners seek to promote the safe and responsible use of e-bikes and e-scooters in accordance with New Jersey State Title 39 traffic laws; and

WHEREAS, the Board Commissioners aims to ensure the safe parking and storage of e-bikes and e-scooters to prevent potential fire hazards associated with lithium-ion batteries;

NOW, THEREFORE, BE IT ORDAINED by the Board Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, as follows:

Section 1: Definitions

For the purpose of this ordinance, the following terms shall have the meanings indicated:

Electric Bike (E-bike): A bicycle with an integrated electric motor which can be used for propulsion, classified as follows:

Class 1: Pedal-assist e-bike providing assistance only when the rider is pedaling and ceasing to assist at 20 miles per hour.

Class 2: Throttle-assist e-bike that can be used exclusively to propel the bicycle up to 20 miles per hour.

Class 3: Motorized bicycles requiring a license and following more stringent regulations.

Electric Scooter (E-scooter): A scooter with an integrated electric motor, capable of a maximum speed of 19 miles per hour, used primarily for short-distance travel.

Section 2: Applicability

This ordinance applies to all operators of e-bikes and e-scooters within the municipal boundaries of the Borough of Deal.

Section 3: General Regulations

1. Compliance with State Law:

All operators of e-bikes and e-scooters must comply with New Jersey State Title 39 traffic laws and any other applicable state regulations regarding the operation of bicycles and e-scooters.

2. Licensing and Registration:

Operators of Class 1 and Class 2 e-bikes and e-scooters are not required to have a license, registration, or insurance. Class 3 e-bikes require a license, and operators must be at least 15 years old and wear a helmet.

3. Helmet Requirement:

All operators and passengers of e-bikes and e-scooters under the age of 17 must wear a properly fitted and fastened bicycle helmet.

4. Operation on Public Roadways and Paths:

E-bikes and e-scooters may be operated on public roadways, bicycle lanes, and multi-use paths where traditional bicycles are permitted unless otherwise posted by the Town. E-bikes and e-scooters are prohibited from being operated on sidewalks unless explicitly permitted by local rules.

5. Speed Limits:

E-bikes and e-scooters must not exceed a speed of 20 miles per hour. Class 3 e-bikes, which can exceed this speed, must adhere to additional restrictions and requirements.

6. Equipment Requirements:

E-bikes and e-scooters must be equipped with a white front headlamp and a red rear taillight visible from 500 feet during nighttime or low visibility conditions. They must also have a bell or horn audible from 100 feet away. The brakes must be capable of making the wheels skid on dry, clean, level pavement.

Section 4: Parking and Storage

1. Parking Regulations:

E-bikes and e-scooters must be parked in designated bicycle or e-scooter parking areas. They must not obstruct pedestrian walkways, driveways, or building entrances.

Parking on sidewalks is prohibited unless explicitly permitted by local signage.

2. Storage Requirements:

E-bikes and e-scooters must be stored in a safe place to prevent fire hazards associated with lithium-ion batteries. This includes:

- Storing e-bikes and e-scooters away from flammable materials and in well-ventilated areas.
- Avoiding overcharging batteries and following manufacturer guidelines for battery maintenance.
- Regularly inspecting batteries for damage and properly disposing of defective batteries.

Section 5: Penalties

Any person who violates any provision of this ordinance shall be subject to a fine not exceeding \$100 for each offense.

Section 6: Enforcement

This ordinance shall be enforced by the Deal Police Department and other designated municipal officials.

Section 7: Severability

If any section, subsection, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 8: Effective Date

This ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Board of Commissioners on first reading at a regular meeting of the Board of Commissioners of the Borough of Deal held on the 8th day of July, 2024 and will be considered for second reading and final passage at a regular meeting of the Board of Commissioners to held on the 6th day of August, 2024 at 9:00 am in the Court Room of Borough Hall, 190 Norwood Avenue, Deal, New Jersey at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

INTRODUCED: July 8, 2024

ADOPTED: August 6, 2024

ATTEST:

Ronen Neuman Acting Clerk