

**CITY OF ENGLEWOOD
BERGEN COUNTY, NEW JERSEY
ORDINANCE #25-22**

**AN ORDINANCE CONCERNING LOW-SPEED ELECTRIC SCOOTERS, LOW-SPEED
ELECTRIC BICYCLES, AND MOTORIZED ELECTRIC BICYCLES, AND
AMENDING, REVISING, AND SUPPLEMENTING THE CODE OF THE CITY OF
ENGLEWOOD BY ADDING A NEW SECTION, SPECIFICALLY ARTICLE 19 OF
CHAPTER 25 OF SAID CODE, ENTITLED "E-BIKES AND E-SCOOTERS"**

WHEREAS, given the expansive use of electric bicycles and electric scooters ("E-Bikes and E-Scooters"), the Governing Body of the City of Englewood seeks to establish rules and regulations concerning the use and operation of same; and

WHEREAS, the purpose of said rules and regulations is to ensure the safe operation and use of E-Bikes and E-Scooters to protect the residents, operators and people within the City of Englewood; and

WHEREAS, the within rules and regulations are designed to promote the public safety and welfare in the City of Englewood;

NOW THEREFORE BE IT ORDAINED by the Englewood City Council, as follows:

Chapter 25 of the "Code of the City of Englewood", which contains the general traffic requirements within the City, is amended, revised, and supplemented to add thereto a new Section, Article 19, entitled " E -Bikes and E -Scooters," which shall read as follows:

Section § 25-67 Low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycles Regulations.

The purpose of this Section is to regulate low-speed electric scooters, low-speed electric bicycles, and motorized electric bicycles. This Section shall apply to all low-speed electric scooters, low-speed electric bicycles, and/ or motorized electric bicycle operations and the placement, operation, parking, and/ or abandonment upon any street and/or public right of way within the City. This ordinance does not pertain to motorized wheelchairs or like equipment which are for the infirm or due to medical conditions.

A. Definitions.

As used in this Chapter, the following terms shall have the meanings herein or as set forth in N.J.S.A. 39: 1- 1 from time to time.

Low-speed Electric Bicycle" means a two (2) or three (3)-wheeled vehicle with fully operable pedals and an electric motor of less than seven hundred fifty (750) watts, which meets the requirements of one (1) of the following class designations:

1) "Class 1 low-speed electric bicycle" means a 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 twenty (20) miles per hour.

2) "Class 2 low-speed electric bicycle" 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 twenty (20) miles per hour.

"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.

"Motorized Electric Bicycle" means a bicycle that is powered by an electric drive motor and said bicycle is capable of a maximum speed of no more than twenty-five (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 twenty (20) miles per hour with a maximum motor -powered speed of no more than twenty-eight (28) miles per hour on a flat surface. This term shall not include a low-speed electric bicycle or low-speed electric scooter as defined in this Section.

"Owner" means any company, entity, and/or individual that has ownership of a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle, including but not limited to a shared low-speed electric scooter, low-speed electric bicycle, and/ or motorized electric bicycle.

"Private low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle" means any low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle owned and operated by a private individual.

"User" means any person who is operating a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle.

§ 25-68 Application of State Motor Vehicle Laws to Electric Scooters and Electric Bicycles.

Every person riding a low-speed electric scooter, low-speed electric bicycle, and/or motorized electric bicycle within the City of Englewood 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, including the provisions of Chapter 4 of Title 39 of the New Jersey Revised Statutes applicable to bicycles as defined in N.J. S.A. 39: 4-10 and the traffic provisions of this City Code applicable to the driver of a vehicle,

except as to special regulations in this Section and except as to those provisions of laws and/or ordinances which, by their very nature are inapplicable to such persons.

§ 25-69 Low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle rules and regulations.

The following rules and regulations shall pertain to low-speed electric scooters, low-speed electric bicycles, and/or motorized electric bicycles and their operation within the City:

1) Obedience to Traffic Control Devices.

a. Any person operating a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle shall comply with all applicable New Jersey Statutes, including but not limited to Chapter 4 of Title 39 of the Revised Statutes, Rules and Regulations applicable to bicycles, as defined in N.J.S.A. 39: 4-10. In particular, any person operating a low-speed electric bicycle or a 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.

b. User Age Restrictions. Low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle operators shall follow manufacturer's recommendation regarding the age of the rider and/or user.

c. Helmet Requirements. Users of Low-speed electric scooters and low-speed electric bicycles, under the age of seventeen (17), must wear a helmet pursuant to N.J.S.A. 39: 4-10.1. All motorized electric bicycle operators must wear a helmet pursuant to N.J.S.A. 39:4-14. 3q.

d. Manner of Riding. No low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle 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 a low-speed electric scooter, low-speed electric bicycle or motorized electric bicycle at a speed greater than is reasonable and prudent under the conditions then and there existing.

d. Reckless or careless riding. No person shall ride any low-speed electric bicycle, low-speed electric scooter, or motorized electric bicycle in a reckless or careless manner which endangers or is likely to endanger the safety or welfare of other persons or property.

2) Riding on Sidewalks.

a. No person shall ride a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle upon a sidewalk.

b. Any person traveling on the sidewalk with a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle shall dismount before entering the sidewalk thoroughway and walk the low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle along the sidewalk.

c. No person shall start or stop a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle trip on the sidewalk.

3) Carrying Articles. No person operating a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle shall carry any package, bundle, or article, or use any item, including but not limited to a cellular telephone or tablet, which prevents the user from keeping both hands upon the handlebars.

4) Lamps and equipment on low-speed electric scooters, low-speed electric bicycles, or motorized electric bicycles.

a. Low-speed electric scooters, low-speed electric bicycles, or motorized electric bicycles 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 five hundred (500) feet to the front with a lamp emitting a red light visible from a distance of five hundred (500) feet to the rear.

b. Low-speed electric scooters, low-speed electric bicycles, or motorized electric bicycles shall be equipped with a kickstand to prevent them from toppling over when parked.

5) Low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle parking and placement.

a. Private low-speed electric scooters, low-speed electric bicycles, or motorized electric bicycles are permitted to be secured at municipal bicycle racks for up to four (4) consecutive calendar days without being utilized.

b. Private low-speed electric scooters, low-speed electric bicycles, or motorized electric bicycles may be attached or secured to a bicycle rack. No person shall attach or secure a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle to any fixed object not suited for such parking or typically used for bicycle parking. This includes, but is not limited to, streetlamps, utility boxes, or public/private benches or railings.

c. Low-speed electric scooters and low-speed electric bicycles shall be parked in designated electric scooter parking areas if they are available and advertised as such by either signage, pavement markings, and/ or racks.

d. No person or owner shall leave a low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle lying on or standing upon the sidewalk or any portion of the City' s right-of-way so as to hinder or impede pedestrian access.

6) Abandonment of low-speed electric scooters.

a. It shall be unlawful for any person, user, or owner to abandon any low-speed electric scooter within the City.

b. A low-speed electric scooter may be deemed abandoned by the City if:

i. It has been parked for a period of forty-eight (48) or more consecutive hours, except in a designated bicycle or low-speed electric scooter racks and/or approved marked areas;

ii. 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 making it inoperable, accumulated debris; or

iii. It is parked, placed, or left on a roadway or in any public right-of-way in violation of this Chapter.

c. In the event a low-speed electric scooter is deemed to be abandoned, as defined herein, the Police Department shall have the authority to seize and impound same pursuant to this section and remove from any public place.

7) Low-speed electric scooter charging. No low-speed electric scooter battery shall be recharged in the public right-of-way or from a vehicle parked in the public right-of-way, without prior written authorization from the City.

8) Low-speed electric scooter and low -speed electric bicycle disposal. All low-speed electric scooters and low -speed electric bicycles and/ or the batteries or electronics thereof shall be disposed of in a manner in accordance with State and Federal regulations as they relate to hazardous materials disposal.

9) All operators of low-speed electric scooters shall certify once at the time of purchase or after completing a low-speed electric scooter program prior to riding that they have read Title 39 of the New Jersey Statutes and all the provisions of this Ordinance herein governing low-speed electric scooter use.

§ 25-70 Voluntary personal scooter registration.

Any resident of the City that desires to voluntarily register their privately owned personal low-speed electric scooter, low-speed electric bicycle, or motorized electric bicycle may do so with the Englewood Police Department Traffic Bureau.

§ 25-71 Violations and penalties.

1. Except as detailed below, in the event any user or owner violates any of the terms of this section, the violator shall be subject to a fine in the Municipal Court of the City of Englewood in an amount of One Hundred (\$150.00) Dollars for a non-moving violation. No court appearance shall be required for this violation.
2. If the offense involves a moving violation under Title 39 of the laws of the State of New Jersey, including violations of the bicycle helmet requirement under N.J.S.A. 39:4-10.2, then the violation shall be subject to such Title 39 penalties as are therein provided for such offenses as determined by the Municipal Court Judge.
3. Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this Chapter shall be liable to a penalty of not more than One Hundred (\$150.00) Dollars or imprisonment for a term not exceeding fifteen (15) calendar days or both.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies. All other Ordinances or parts of Ordinances shall otherwise remain in full force and effect.

If any Article, Sections, Subsection, paragraph, phrase or sentence is for any reason held to be unconstitutional or invalid said Article, Section, Subsection, paragraph, phrase or sentence shall be deemed severable.

This Ordinance shall take effect immediately upon final publication as provided by law.

ORDINANCE #25 - 22

AN ORDINANCE CONCERNING LOW-SPEED ELECTRIC SCOOTERS, LOW-SPEED ELECTRIC BICYCLES, AND MOTORIZED ELECTRIC BICYCLES, AND AMENDING, REVISING, AND SUPPLEMENTING THE CODE OF THE CITY OF ENGLEWOOD BY ADDING A NEW SECTION, SPECIFICALLY ARTICLE 19 OF CHAPTER 25 OF SAID CODE, ENTITLED "E - BIKES AND E - SCOOTERS"

RECORD OF VOTE

FIRST READING DATE: April 22, 2025

COUNCIL	MOTION	VOTE
David	X	Y
Rosenzweig		Y
Tokayer		Y
Wilson		Y
Wisotsky		Y

DATE PUBLISHED IN THE RECORD: April 28, 2025

DATES PUBLIC HEARINGS HELD: May 6, 2025

DATE SECOND READING HELD: May 6, 2025

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
David						
Rosenzweig						
Tokayer						
Wilson						
Wisotsky						

Y=YES

N=OPPOSED

A=ABSTAINED

AB=ABSENT

PRESENTED TO MAYOR:

APPROVED _____

REJECTED _____ (VETO)

DATE: _____

MAYOR MICHAEL WILDES

I do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted and approved by the Mayor and Council of the City of Englewood.

Yancy Wazirmas, RMC
City Clerk