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TITLE 16. DEPARTMENT OF TRANSPORTATION
CHAPTER 26. MOTORIZED BICYCLES

Authority: N.J.S.A. 39:4-8, 39:4-8.3, 39:4-14.3a, 39:4-14.3b, 39:4-14.3f, 39:4-198 and 39:4-202

Expires on October 4, 2017

SUBCHAPTER 1. PROCEDURE TO REGULATE OPERATION OF MOTORIZED BICYCLES ON SPECIFIC HIGHWAYS

16:26-1.1 Purpose and scope

This chapter governs the procedure and standards for permitting and prohibiting the operation of motorized bicycles on highways, pursuant to N.J.S.A. 39:4-14.3.

16:26-1.2 Definitions

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

"Commissioner" means the Commissioner of the New Jersey Department of Transportation.

"Department" means the New Jersey Department of Transportation.

"Highway" means the entire width between the boundary of lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

"Motorized bicycle" means a pedal bicycle with a helper motor having either a maximum piston displacement of less than 50 cubic centimeters (cc) or rated at no more than 1.5 brake horsepower, and the bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface.

16:26-1.3 Ordinances and resolutions of counties and municipalities

A county or a municipality may by ordinance or resolution authorize the adoption of regulations concerning the operation of motorized bicycles on the highways within the jurisdiction of the county or the municipality. No such ordinance or resolution shall be effective until submitted to and approved by the Commissioner, as provided in N.J.S.A. 39:4-8.a.

16:26-1.4 Standards for resolution and recommendations

(a) In adopting the resolution and recommendation provided for in N.J.A.C. 16:26-1.3, the governing body of a county or municipality and the Commissioner shall consider factors related to the interest of safety and the expedition of traffic, such as, but not limited to, the following:

1. Accident experience;
2. Traffic patterns;
3. Traffic volumes;

4. Physical characteristics of the highway; and

5. Posted speed limits of the highway.

16:26-1.5 Operation of motorized bicycles permitted on specific highways

(a) The Commissioner has determined that the operation of motorized bicycles is permitted on the following highways or portions of highways:

1. The dualized portion of County Road No. 7 (Long Beach Boulevard) in the Township of Long Beach; and

2. The dualized portion of Barnegat Avenue in Surf City Borough.

16:26-1.6 Operation of motorized bicycles prohibited on specific highways

(a) The Commissioner has determined that the operation of motorized bicycles is not permitted on the following highways or portions of highways:

1. That portion of State Highway 35 between the Brielle Circle and Seventeenth Avenue in the Township of Wall.