

# **E-BIKES & E-SCOOTERS**

## **UNDERSTANDING THE LAW PROTECTING OUR COMMUNITY**

Presented by Chief Shawn Bennett  
Mountain Lakes Police Department



# THE FOCUS OF THIS PRESENTATION IS PUBLIC EDUCATION AND **PUBLIC SAFETY**



- ▶ Why is e-bike safety a concern?
- ▶ What is the law regarding different classes of e-bikes & e-scooters?
- ▶ What do parents need to do?
- ▶ What are the rules of safe riding and what are legal considerations for e-bike riders – and their parents?
- ▶ What can we all do to keep our community safe?
- ▶ What is the Mountain Lakes Police Department doing to educate the public and enforce the law?

# E-BIKES: A GROWING PUBLIC SAFETY CONCERN



- ▶ Nationally, e-bike crashes, injuries, and fatalities have been growing exponentially over the past 5 years
- ▶ Locally, there are numerous reports of unsafe use of e-bikes by children and teens
- ▶ E-bike users **and the parents of e-bike users** need to understand the law and be responsible for their own safety – and the safety of those around them





WHAT ARE THE 3 CLASSES OF E-BIKES  
AND APPLICABLE LAWS FOR E-BIKES  
AND E-SCOOTERS?

# CLASS 1 E-BIKE



Power Source:  
Electric



Propulsion Method:  
Pedal



Max Assisted Speed:  
20 MPH



Minimum Age:  
None



Helmet:  
Required if under 17  
years old



License/Registration:  
Not Required



Allowed on: Streets,  
shared use paths,  
paved bikeways,  
surface trails, and  
can park on  
sidewalks.

- ▶ Under New Jersey law (N.J. Stat. § 39:1-1), Class 1 e-bikes are regulated as “low-speed electric bicycles.” A Class 1 e-bike is 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 a speed of 20 miles per hour.
- ▶ Class 1 e-bikes are generally governed by the same rules of the road as bicycles. However, they must still follow applicable motor vehicle laws and are subject to summonses if they violate the law.

# CLASS 2 E-BIKE



Power Source:  
Electric



Propulsion Method:  
Pedal and throttle



Max Assisted Speed:  
20 MPH



Minimum Age:  
None



Helmet:  
Required if under 17  
years old



License/Registration:  
Not Required



Allowed on:  
Streets, shared use  
paths, paved  
bikeways, surface  
trails, and can park  
on sidewalks.

- ▶ Under New Jersey law (N.J. Stat. § 39:1-1), both Class 2 e-bikes are regulated as “low-speed electric bicycles.” A Class 2 low-speed electric bicycle is 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 a speed of 20 miles per hour.
- ▶ Class 2 e-bikes are generally governed by the same rules of the road as bicycles. However, they must still follow applicable motor vehicle laws and are subject to summonses if they violate the law.



# CLASS 3 E-BIKE



Power Source:  
Gas or Electric



Propulsion Method:  
Pedal and optional  
throttle



Max Assisted  
Speed:  
28 MPH



Minimum Age:  
15 Years Old



Helmet:  
Required for all  
ages



License/Registration:  
Both Required



Allowed on:  
Streets when speed limit is  
up to 50 mph, shared use  
paths, paved bikeways,  
surface trails. Cannot  
park on sidewalks.

- ▶ Under New Jersey law (N.J. Stat. § 39:1-1), Class 3 e-bikes are “motorized bicycles.” The engine must have a maximum piston displacement of less than 50 cc or no more than 1.5 brake horsepower, or an electric motor that can propel the vehicle at least 20 mph, but no more than 28 mph.
- ▶ Class 3 e-bikes are generally governed by the same rules of the road as bicycles. However, they must still follow applicable motor vehicle laws and are subject to summonses if they violate the law.

# LOW SPEED E-SCOOTER



Power Source:  
Electric



Propulsion Method:  
Kickstart and  
throttle



Max Assisted Speed:  
19 MPH



Minimum Age:  
None



Helmet:  
Required if under 17  
years old



License/Registration:  
Not Required



Allowed on:  
Streets, shared use  
paths, paved  
bikeways, surface  
trails, and can park  
on sidewalks.

- ▶ Under New Jersey law (N.J. Stat. § 39:1-1), a “low-speed electric scooter” is 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 less than 19 miles per hour.
- ▶ Low-speed electric scooters are generally governed by the same rules of the road as bicycles. However, they must still follow applicable motor vehicle laws and are subject to summonses if they violate the law.

For additional information go to: <https://njbikeped.org/>  
**State of NJ and Rutgers University**

# HOW DO YOU KNOW WHAT CLASS YOUR E-BIKE IS?

- ▶ As of January 2019, e-bikes must be tagged and labeled with their classification in New Jersey
- ▶ The label should be permanently affixed in a prominent location and include:
  - ▶ Classification number (1, 2, or 3)
  - ▶ Top assisted speed
  - ▶ Motor Wattage
  - ▶ ***Beware... Some e-bikes are not labeled accurately by the retailers or manufacturers. It is the owner's responsibility to be sure the e-bike is in compliance (max speed, motor size, etc.) with the regulations of the class reflected on the label***





# ***WARNING!***

## ***An e-bike is defined by its maximum speed and motor size***

- ▶ Contrary to what a retailer may tell you, “selector switches” do not define the e-bike class. It is the motor size and maximum speed. A bike that is capable of going 40 mph, but has a switch to govern it at 20 mph, is considered a 40 mph motor vehicle and not an e-bike.
- ▶ A bike may be stamped with a “Class 2” rating by the manufacturer/retailer, but if the motor is greater than 750 Watts or the maximum assisted speed is in excess of 20 mph, the bike is considered a Class 3 e-bike. Therefore, the operator must have a license and the e-bike must be registered. If the e-bike exceeds the Class 3 maximum motor size or speed, the bike is either not street legal or is considered a motor vehicle and must be registered and insured.
- ▶ The operator of an “e-bike” that exceeds Class 3 specifications can be issued a motor vehicle summons, and have the vehicle impounded. If the operator does not have a driver’s license, the summonses will likely delay their eligibility to receive their driver’s license.

# SAFE RIDING

- ▶ E-bike and e-scooter users, in most cases, have the same right to the road as motor vehicle drivers and are required to follow the same laws, including riding in the direction of traffic and obeying all stop signs and traffic signals.
- ▶ Riding safely means being attentive, predictable, and visible. As much as possible, ride where people can see you. New Jersey law requires all bicycles, e-bikes, and e-scooters to have a front white light, rear red light, and a bell.
- ▶ E-bike and e-scooter drivers should **ALWAYS** wear a helmet, even when it is not mandatory. Helmets are **REQUIRED** for youth under age 17.
- ▶ E-bike and e-scooters must be parked without blocking pedestrian and/or wheelchair access.





# LEGAL CONSIDERATIONS

- ▶ Although legal e-bikes are treated as bicycles, riders must still abide by the applicable motor vehicle laws. Violations are generally fine-based.
- ▶ A summons for a violation may delay a minor from attaining his/her driver's license.
- ▶ Remember, if the e-bike is capable of going faster than 28 mph or the motor is larger than allowable in NJ statute, it is considered a motor vehicle or it is not street legal at all. The operator must have a valid NJ Driver's License with a Motorcycle Endorsement, and the vehicle must be registered and insured.
- ▶ If an unlicensed individual is operating a Class 3 e-bike or larger, the driver's parents may be charged with allowing an unlicensed driver to operate a motor vehicle. The penalties are a \$200 - \$500 fine and possible jail term up to 15 days.
- ▶ There is also Significant Civil Liability for drivers and their parents:
  - ▶ Motor vehicle accidents involving or caused by e-bikes.
  - ▶ Injuries due to multiple riders, improper riding, traffic violations, or operating an e-bike that is not considered a Class 1, 2 or 3 e-bike.
  - ▶ There is currently no liability insurance coverage for e-bikes. Check with your homeowner's insurance to see if you are covered.





# WHAT DO PARENTS NEED TO DO?

Education	Educate yourselves and your children
Rules	Make sure your children know the rules and comply with them
Age/Ability Appropriate	<ul style="list-style-type: none"><li>- Make sure your child is mature enough to handle the responsibility of driving an e-vehicle</li><li>- Do not buy Class 3 e-bikes or non-street legal e-bikes for underage/non-licensed children</li></ul>
No Tampering	Be sure your e-bike has not been tampered with to increase speed

# WHAT CAN WE ALL DO?



- ▶ Report reckless e-bike or e-scooter use.
- ▶ Follow the New Jersey Safe Passing Law: This law requires motorists to change lanes to pass pedestrians, bikers, e-bikers, and e-scooter drivers. If another lane is not available, drivers must slow down to 25 mph and wait until they have enough room to pass with at least four feet to spare.
- ▶ Slow down and look out for one another!

# MOUNTAIN LAKES POLICE DEPT RESPONSE



## ▶ **Public Education:**

- ▶ Town Hall education sessions and communications pushed out to the community
- ▶ Officers stopping young e-bike riders to discuss e-bike safety and determine what class of vehicle they are riding.

## ▶ **Increased Enforcement:**

- ▶ Officers actively looking for e-bike traffic violations such as stop signs, crosswalks, multiple riders, careless driving, reckless driving, speeding, and helmet law violations.
- ▶ Parents are subject to fines when a minor is not wearing a helmet while riding.



**THE GOAL OF THE MOUNTAIN LAKES POLICE DEPARTMENT IS TO ENSURE THAT ALL E-BIKE AND E-SCOOTER RIDERS OPERATE THEIR VEHICLES RESPONSIBLY, SAFELY AND IN COMPLIANCE WITH APPLICABLE LAWS.**

***NO OFFICER EVER WANTS TO HAVE TO INVESTIGATE A MOTOR VEHICLE CRASH INVOLVING AN E-BIKE OR E-SCOOTER.***

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