

New Jersey Bicycle Laws

39:1-1 Words and phrases defined “Right-of-way” means the privilege of the immediate use of the highway.

“Traffic” means pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highway for purposes of travel. “Vehicle” means every device in, upon, or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

39:4-10. Lights and reflectors on bicycles.

Every bicycle when in use at nighttime shall be equipped with a lamp on the front that shall emit a white light visible from a distance of at least 500 feet to the front, and with a lamp on the rear that shall emit a red light visible from a distance of at least 500 feet to the rear. In addition to the red lamp, a red reflector may be mounted on the rear, of a type approved by the division, that shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle.

39:4-10.1 Bicycle helmets, requirements.

1. a. A person under 17 years of age shall not operate or ride upon a bicycle as a passenger unless that person is wearing a properly fitted and fastened bicycle helmet that meets the standards of the American National Standards Institute (ANSI Z90.4 bicycle helmet standard) or the Snell Memorial Foundation’s 1990 Standard for Protective Headgear for Use in Bicycling. This requirement shall apply to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.

As used in this act, “bicycle” means a vehicle with two wheels propelled solely by human power and having pedals, handlebars, and a saddle-like seat. The term shall include a bicycle for two or more persons having seats and corresponding sets of pedals arranged in tandem.

39:4-11. Audible signal

No person shall operate a bicycle 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 a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

39:4-11.1. Brake required

Every bicycle shall be equipped with a brake that will enable the operator to make the braked wheels skid on dry, level, clean pavement.

9:4-12. Position of hands and feet; carrying another person

A person propelling or riding on a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto, nor shall he ride with his feet removed from the pedals, or with both hands removed from the handlebars, nor shall he practice any trick or fancy riding in a street. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

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39:4-14. Hitching on vehicles prohibited

No person riding upon any bicycle, coaster, skates, sled, or toy vehicle shall attach the same or himself to any streetcar or vehicle upon a roadway, and no operator of any streetcar or vehicle shall knowingly allow any person riding upon any bicycle, coaster, skates, sled, or toy vehicle to attach the same or himself to the streetcar or vehicle.

39:4-14.1 Rights, duties of bicycle riders on roadways, exemptions.

16. a. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by chapter four of Title 39 of the Revised Statutes and all supplements thereto except as to those provisions thereof which by their nature can have no application.

Regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

b. A law enforcement officer operating a bicycle while in the performance of his duty, and who is engaged in the apprehension of violators of the law or of persons charged with, or suspected of, a violation, shall not be subject to the provisions of this section.

39:4-14.2. Keeping to right; exceptions; single file

Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction, provided, however, that any person may move to the left under any of the following situations:

(a) to make a left turn from a left-turn lane or pocket;

(b) to avoid debris, drains, or other hazardous conditions that make it impracticable to ride at the right side of the roadway;

(c) to pass a slower moving vehicle; (d) to occupy any available lane when traveling at the same speed as other traffic; (e) to travel no more than two abreast when traffic is not impeded.

Persons riding bicycles upon a roadway may travel no more than two abreast when traffic is not impeded, but

otherwise shall ride in single file except on paths or parts of roadways set aside for the exclusive use of bicycles.

39:4-14.5. Bicycle defined

As used in this act, "bicycle" means any two-wheeled vehicle having a rear drive wheel that is solely human-powered and having a seat height of 25 inches or greater when the seat is in the lowest adjustable position.

39:4-64. Highway littering ban

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a. No person shall throw or drop any bundle, object, article, or debris of any nature from a vehicle whether in motion or not when such vehicle is on a highway. The words "object, article, or debris of any nature" as used in this section shall be deemed to include a cigarette, cigar, match, or ashes, or any substance or thing in and of itself likely to cause or fuel a fire, but such inclusion shall not be deemed to in any way limit the generality of the words "object, article, or debris of any nature." Any person who violates this section shall be subject to a fine of not less than \$200 or more than \$1,000 for each offense.

b. There shall be a rebuttable presumption that the registered owner of the vehicle, if present in the vehicle, or, in his absence, the driver of the vehicle, is presumed to be responsible for any violation of this section, if:

(a) A bundle, object, article, or debris of any nature is thrown or dropped from the vehicle by an occupant of the vehicle;

(b) There are two or more occupants in the vehicle; and

(c) It cannot be determined which occupant of the vehicle is the violator.

39:4-82. Keeping to right

Upon all highways of sufficient width, except upon one-way streets, the driver of a vehicle shall drive it on the right half of the roadway. He shall drive a vehicle as closely as possible to the right-hand edge or curb of the roadway, unless it is impracticable to travel on that side of the roadway, and except when overtaking and passing another vehicle subject to the provisions of sections 39:4-84 and 39:4-85 of this Title.

39:4-85. Passing to left when overtaking; passing when in lines; signaling to pass; passing upon right

The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. If vehicles on the roadway are moving in two or more substantially continuous lines, the provisions of this paragraph and section 39:4-87 of this Title shall not be considered as prohibiting the vehicles in one line overtaking and passing the vehicles in another line either upon the right or left, nor shall those provisions be construed to prohibit drivers overtaking and passing upon the right another vehicle that is making or about to make a left turn.

The driver of an overtaking motor vehicle not within a business or residence district shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction.

The driver of a vehicle may overtake and pass another vehicle upon the right as provided in this section only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

39:4-90. Right of way at intersections

The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle that has entered the intersection. When two vehicles enter an intersection at the same time, the driver of the vehicle on the

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left shall yield the right of way to the driver of the vehicle on the right.

The driver of a vehicle within an intersection intending to turn to the left shall yield to a vehicle approaching from the opposite direction that is within the intersection or so close thereto as to constitute an immediate hazard, but the driver having so yielded, and having given a signal when and as required by law, may make the left turn; and other vehicles approaching the intersection from the opposite direction shall yield to the driver making the left turn.

39:4-96. Reckless driving; punishment

A person who drives a vehicle heedlessly, in willful or wanton disregard of the rights or safety of others, in a manner so as to endanger, or be likely to endanger, a person or property, shall be guilty of reckless driving and be punished by imprisonment in the county or municipal jail for a period of not more than 60 days, or by a fine of not less than \$50 or more than \$200, or both.

On a second or subsequent conviction he shall be punished by imprisonment for not more than three months, or by a fine of not less than \$100 or more than \$500, or both.

39:4-97. Careless driving

A person who drives a vehicle carelessly, or without due caution and circumspection, in a manner so as to endanger, or be likely to endanger, a person or property, shall be guilty of careless driving.

(b) Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(c) Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

39:4-126. Signaling before starting, turning, or stopping

No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in section 39:4-123, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway, or start or back a vehicle unless and until such movement can be made with safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement.

A signal of intention to turn right or left when required shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.

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No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear.

The signal herein required shall be given either by means of the hand and arm in the manner herein specified, or by an approved mechanical or electrical signal device, except that when a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible, both to front and rear, the signal shall be given by a device of a type which has been approved by the division.

When the signal is given by means of the hand and arm, the driver shall indicate his intention to stop or turn by extending the hand and arm from and beyond the left side of the vehicle in the following manner, and such signals shall indicate as follows:

(a) Left turn.—Hand and arm extended horizontally. (b) Right turn.—Hand and arm extended upward. (c) Stop or decrease speed.—Hand and arm extended downward