

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF  
NEW BRUNSWICK,  
CHAPTER 10.36 "BICYCLE REGULATIONS"

BE IT ORDAINED by the City Council of the City of New Brunswick:

SECTION I

10.36.010 PURPOSE:

The intent of this chapter is to encourage the safe and proper operation of bicycles on the streets of the city, particularly by children, to encourage greater use of bicycles as a means of transportation to reduce traffic congestion and greenhouse gas emissions, and to further the programs established by the police, schools and civic groups to train children in the safe operation of bicycles.

SECTION II

10.36.020 DEFINITION

"Bicycle" as used in this chapter means every vehicle propelled by human power upon which any person may ride, having at least two tandem wheels either of which is 20 inches or over in diameter.

SECTION III

10.36.030 REGULATIONS:

A. General. All persons 12 years and older operating bicycles in the city shall conform to all applicable laws of the state and ordinances of the city, particularly those dealing with the regulation of traffic, except where another age limit is specifically stated as being applicable. Bicycle operators obey the same rules as the drivers of motor vehicles unless inapplicable or inappropriate.

B. Operating Regulations. Every person riding a bicycle on a roadway shall ride as near to the right roadside as practicable exercising due care when passing a standing vehicle or one proceeding in the same direction. Every person riding a bicycle shall ride in the same direction as vehicular traffic.

A bicyclist may move left under any of the following conditions:

- (1) To make a left turn from a left turn lane or pocket;
- (2) To avoid debris, drains, or other hazardous conditions on the right;
- (3) To pass a slower moving vehicle;
- (4) To use a bicycle lane that is designated on the left side of the road;
- (5) To occupy any available lane when traveling at the same speed as other traffic;
- (6) To travel no more than two abreast when traffic is not impeded, but otherwise ride in single file.

C. Passengers. No person shall ride on any part of a bicycle not intended for use by a rider, nor more than one person ride a bicycle unless it is designed to accommodate more than one rider or operator.

D. Unsafe Bicycle. No person shall operate a bicycle that is in an unsafe or dangerous condition.

E. Riding on Sidewalks.

(1) No person, regardless of age, shall ride a bicycle upon a sidewalk within a business district.

- Business Districts

- Easton Avenue between French Street and Bristol Street/Bartlett Street
- French Street between Easton Avenue and Baldwin Street/Bethany Street
- George Street between Morris Street and the railroad trestle

(2) No person 12 or more years of age shall ride a bicycle upon any sidewalk, unless such sidewalk has been officially designated and marked as a bicycle route or multi-use path. The following are designated as multi-use paths:

(a) New Jersey Route 18 Northbound side from U.S. Route 1 to NJ Route 27

(b) New Jersey Route 27 Northbound side from Hampton Road to Sandford Street

(3) Bicycles shall not be operated on New Jersey Highway Route 18 or U. S. Highway Route 1 or on any roadway where the operation of bicycles has been prohibited and signs have been erected indicating such prohibition.

(4) Restrictions regarding riding on sidewalks shall not apply to sidewalks, multi-use paths or bike paths on Rutgers University property. Bicycle riding in these areas shall be governed by the rules of Rutgers University.

F. Lights on Bicycles.

When in use at nighttime every bicycle shall be equipped with:

- (1) A front headlamp emitting a white light visible from a distance of at least 500 feet to the front;
- (2) A rear lamp emitting a red light visible from a distance of at least 500 feet to the rear;
- (3) In addition to the red lamp a red reflector may be mounted on the rear.

G. Audible Signal.

A bicycle must be equipped with a bell or other audible device that can be heard at least 100 feet away, but not a siren or whistle.

H. Stopping. Every bicycle shall have a means of stopping that is able to cause a bicycle travelling at 15 mph to stop within 30 feet.

I. Right Of Way To A Bicycle

(1) Turning Left In Front Of A Bicycle. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to a bicycle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

(2) Turning Right In Front Of A Bicycle. When a motor vehicle and a bicycle are traveling in the same direction on any highway, street, or road, the operator of the motor vehicle overtaking such bicycle traveling on the right side of the roadway shall not turn to the right in front of the bicycle at that intersection or at any alley or driveway until such vehicle has overtaken and is safely clear of the bicycle.

(3) Overtaking On The Left. The operator of a motor vehicle overtaking a bicycle or individual proceeding in the same direction on a highway shall leave a safe distance, but not less than 3 feet, when passing the bicycle or individual and shall maintain that distance until safely past the overtaken bicycle

J. Driving, standing or parking on bicycle paths or lanes prohibited.

The driver of a vehicle shall not drive, unless entering or exiting a legal parking space, or stand, or park the vehicle upon any on street path or lane designated by official signs or markings for the use of bicycles, or otherwise drive or place the vehicle in such a manner as to impede bicycle traffic on such path or lane. The driver of a vehicle shall not stand or park the vehicle upon any lane designated by pavement markings for the shared use of motor vehicles and bicycles, or place the vehicle in such a manner as to impede bicycle traffic on such lane. In addition to the fine provided in 10.36.050 of this ordinance, any vehicle parked in violation of this section shall be subject to an immediate tow and removal to a city vehicle pound or authorized garage.

K. Drivers to exercise due care.

Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian, or any person operating a bicycle or other device propelled by human or animal power, upon any roadway, and shall give warning by sounding the horn when necessary and shall exercise proper precautions upon observing any child or any confused or incapacitated person upon a roadway.

L. Parking.

- (1) No person shall park a bicycle upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic, or upon a roadway so as to unduly interfere with vehicular traffic.
- (2) Bicycles shall be parked in such a manner as not to interfere with building entrances.

M. Impounding.

Whenever any minor under the age of eighteen years operates a bicycle or motorized bicycle in violation of any section of this ordinance, the bicycle may be seized by any member of the police department and impounded. A bicycle or motorized bicycle so impounded shall be surrendered to the owner, or if the owner is a minor, to the parents or guardians of such minor, and no charge shall be made. A full explanation of the reason for the impounding shall be made to the owner, parent or guardian. A complete record of each such impounding shall be kept in the office of the police director.

## SECTION IV

### 10.36.050 PENALTIES

Any person who violates any provision of Section 10.36, upon conviction of a first offense, is subject to a fine of twenty-five dollars (\$25.00). For a second offense within one year of the first offense, the penalty is a fine of fifty dollars (\$50.00). For a third offense within one year of two previous offenses, the penalty is a fine of one hundred dollars (\$100.00).

**SECTION V**

**SEVERABILITY:**

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall affect the remaining provisions hereof and the entire Ordinance shall be null and void.

**SECTION VI**

**REPEALER:**

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**SECTION VII**

**EFFECTIVE DATE:**

This Ordinance shall become effective twenty (20) days following final adoption and shall be published as required by law.

**SECTION VIII**

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

ADOPTED ON FIRST READING:

DATED: **December 7, 2011**

COUNCIL PRESIDENT

ADOPTED ON SECOND READING:

DATED: **January 18, 2012.**

COUNCIL PRESIDENT

CITY CLERK

APPROVAL OF THE MAYOR ON THIS

DAY OF January, 2012.

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JAMES M. CAHILL, Mayor

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY