

**BOROUGH OF NEW PROVIDENCE
ORDINANCE 2025-10**

**AN ORDINANCE AMENDING CHAPTER 257 OF THE CODE OF THE
BOROUGH TITLED “VEHICLES AND TRAFFIC”**

WHEREAS, the Borough of New Providence seeks to insure pedestrian safety while allowing for reasonable use of electric personal transportation devices by prohibiting the use of such devices on sidewalks and to otherwise provide regulation for such devices;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of New Providence, County of Union, State of New Jersey that Chapter 257 the Code of the Borough be amended to add a new Article IX as follows:

ARTICLE IX - Electric Scooter and Electric Bicycle Operation.

257-51 SCOPE

The provisions of this article shall apply whenever a low-speed electric scooter or low speed electric bicycle is operated upon any street or upon any public way within the Borough of New Providence, subject only to those exceptions stated in this Article. Where the provisions of this article contradict and/or overlap with any state laws, the state law shall govern.

257-52 DEFINITIONS

As used in this article, the following terms shall have the meanings indicated:

LOW SPEED ELECTRIC BICYCLE

As defined in N.J.S.A. 39:1-1, includes a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, that meets the requirements of one of the following classifications: "class 1 low-speed electric bicycle," which 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 20 miles per hour; or "class 2 low-speed electric bicycle," which 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 20 miles per hour.

Under 39:1-1, Class 3 electric bicycles are defined as motorized bicycles and are required to be registered with the motor vehicle commission and the operator to be licensed and as such are exempted from this ordinance.

LOW SPEED ELECTRIC SCOOTER

Includes a scooter, as defined in N.J.S.A. 39:1-1, with a floorboard that can be stood upon by the operator, with handlebars, and with 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. Shall also include a wheeled device that can be stood upon by the operator, with or without handlebars and with an electric motor that is capable of propelling the device with or without human propulsion.

USER

Any person who is operating a low speed electric scooter or low speed electric bicycle.

257-53 APPLICATION OF TRAFFIC LAWS TO LOW SPEED ELECTRIC SCOOTERS AND LOW SPEED ELECTRIC BICYCLES

Every person riding a low speed electric scooter or low speed electric bicycle upon a roadway 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 and the traffic provisions of this Code applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature are inapplicable to such persons.

257-54 LOW SPEED ELECTRIC SCOOTER AND LOW SPEED ELECTRIC BICYCLE REGULATIONS

A. Obedience to Traffic Control Devices

1. Any person operating a low-speed electric scooter or low speed electric bicycle shall obey the instructions of official traffic control signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

2. No person shall ride or operate a low-speed electric scooter or low speed electric bicycle in any direction except that permitted of vehicular traffic traveling on the same side of the roadway.

3. Any person operating a low-speed electric scooter or low speed electric bicycle shall stop for pedestrians in crosswalks.

B. Riding on Roadways. Every person operating a low-speed electric scooter or low speed electric bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction

C. Riding on Sidewalks Prohibited. No person shall ride a low-speed electric scooter or low speed electric bicycle upon a sidewalk, defined the portion of a highway intended for the use of pedestrians, between the curb line or the lateral line of a shoulder.

D. Towing, Tethering or Clinging Prohibited. No person riding upon a low speed electric scooter or low speed electric bicycle shall attach to any vehicle upon the roadway, nor allow any person to attach or fasten themselves to their low speed bicycle or scooter.

E. Helmets are required for anyone under 17 years of age riding a low-speed electric bicycle or a low-speed electric scooter.

F. Speed Restrictions. No person shall operate a low-speed electric scooter or low speed electric bicycle at a speed greater than what has been designated by the manufacturer, in accordance with N.J.S.A 39:4-14.16

G. The use of any electronic, mobile communication device while operating a low-speed electric scooter or low speed electric bicycle shall be prohibited

H. The use of headphones, earbuds or noise cancelling devices worn over or within the ears, with the exception of a device that is medically necessary, while operating a low-speed electric scooter or low speed electric bicycle shall be prohibited.

I. The use of a low-speed electric scooter or low speed electric bicycle on a footpath, walkway, lawn, park, playground, artificial turf or wooded area within a park or recreation facility owned by the Borough of New Providence shall be prohibited.

257-55 VIOLATIONS AND PENALTIES

In the event that any individual violates the terms of this article, he/she shall be subject to a fine in the Municipal Court of the Borough of New Providence in the amount no greater than \$100 for a first offense, no more than \$200 for the 2nd offense, and \$500 for any subsequent offenses. Violations of these provisions, by a user, who is a juvenile will subject the legal guardian, of that user, to the violations and penalties prescribed above. The Police Department may confiscate any electric transportation device being operated in violation of this law.

Effective date.

This ordinance shall take effect upon final adoption and publication in accordance with the law.

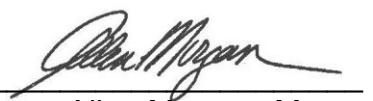
Introduced: October 28, 2025
Public Hearing: November 10, 2025
Adopted: November 10, 2025

BOROUGH OF NEW PROVIDENCE
COUNTY OF UNION
STATE OF NEW JERSEY

Attest:



Denise Brinkofski, Borough Clerk



Allen Morgan, Mayor