

Ordinance #2023-37

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON REGARDING BICYCLES AND SIMILAR DEVICES AND AMENDING CHAPTER 8 OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974.”

WHEREAS, in recent years there has been an increase in the use of bicycles, scooters and similar devices, propelled by both human power and motors, on public sidewalks, bicycle paths and roadways; and

WHEREAS, the Engineering Department has proposed updates to Chapter 8 of the “Code of the Borough of Princeton, New Jersey, 1974,” entitled “Bicycles and Motorized Bicycles,” to ensure greater safety for pedestrians and others utilizing sidewalks, bicycle paths and roadways; and

WHEREAS, the Princeton Mayor and Council wish to adopt these amendments at this time.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Chapter 8, “Bicycles and Motorized Bicycles,” of the “Code of the Borough of Princeton, New Jersey, 1974,” is hereby amended as follows (additions are underlined and deletions are [bracketed]):

Chapter 8

**OPERATION OF BICYCLES AND SIMILAR DEVICES ON
SIDEWALKS, BICYCLE PATHS AND ROADWAYS [MOTORIZED
BICYCLES]**

Sec. 8-1. Definitions.

For the purposes of this chapter, the following words or phrases shall have the meanings respectively ascribed to them by this section:

BICYCLE

A device having [two] up to three wheels [with tires 20 inches or more in diameter] connected by a frame [of metal or wood] and [arranged] designed to be propelled by human power or by a motor at a maximum speed 20 miles per hour.[This definition does not apply to toy bicycles, velocipedes or motorized bicycles.]

BICYCLE LANE

A portion of the roadway that has been designated by striping, signage or pavement markings for the use of bicycles.

BICYCLE PATH OR PATH

A way, other than a roadway or sidewalk, that is designated as a bicycle route by section 4A-2 or pursuant to section 4A-3 of the "Code of the Township of Princeton, New Jersey, 1968."

[MOTORIZED BICYCLE

A pedal bicycle having a helper motor characterized in that the maximum piston displacement is less than 50 cc. rated no more than 1.5 brake horsepower and capable of or designed for a maximum speed of no more than 25 miles per hour.]

ROADWAY

That portion of any road, street, or lane [a highway] improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. For purposes of this chapter, roadway shall include any portion designated as the "bicycle lane."

ROLLER SKATES[SKATING]

[To glide or move along on a shoe, boot or frame with wheels or blades for rolling along on pavement and hard floors. This definition is intended to include inline skating.] A pair of devices worn on the feet with wheels attached, regardless of the number or placement of those wheels, and used to glide or propel the user operator over the ground.

SIDEWALK

That portion of [a highway] any road, street or lane between the curb line or the lateral line of a shoulder, or if none, the lateral line of the road, street or lane and the adjacent right-of-way line, or any alleyway intended for the use of pedestrians.[, between the curb line or the lateral line of a shoulder, or if none, the lateral line of the roadway and the adjacent right-of-way line.]

SKATEBOARD

A device [having two or more wheels] on which a person can stand with

one foot or two feet and can self-propel [himself] forward with one foot or move down grade by force of gravity or be propelled by a motor. This definition is intended to include hoverboards and similar devices.

SCOOTER

A device with a floorboard that can be stood upon by the operator, with handlebars, and that is propelled by human power or by a motor at a maximum speed of less than 19 miles per hour.

Sec. 8-2. General Regulations and Obedience to Traffic Control Devices.

Any person operating a bicycle, [riding] a skateboard, a scooter, or roller skates[ing] on a sidewalk, bicycle path or roadway[,] shall comply with the restrictions of this chapter and applicable laws, and shall also obey the instructions of all official traffic control signs, signals and other control devices applicable thereto, unless otherwise directed by a police officer.

Sec. 8-3. Operating and Riding on Sidewalks, Bicycle Paths and Roadways — General[ly] Requirements and Prohibitions.

- (a) Every person operating or riding a bicycle, scooter, [operating or riding a] skateboard or roller skates[ing] shall exercise due care when passing any person or object.
- (b) Whenever any person is operating or riding a bicycle, scooter, skateboard or roller skates on a sidewalk, such person shall give an audible signal before overtaking or passing nearer than two feet to any pedestrian thereon.
- (c) [(b)] Persons operating or riding bicycles, scooters, [operating or riding] skateboards or roller skates[ing] shall proceed in single file.
- (d) [(c)] The operation or riding of bicycles, scooters, skateboards [and] or roller skates is prohibited on any sidewalk surface which is covered in whole or in part with snow or ice.
- (e) No person shall operate or ride a bicycle, scooter, [operate or ride a] skateboard or roller skates at a speed greater than is reasonable and prudent under the conditions then existing.
- (f) [(e)] The operator or rider of a bicycle, scooter, [the operator or rider of a] skateboard or roller skates[r,] emerging from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across an alley, stop for all pedestrians and bicycles, skateboards and roller skaters approaching on such sidewalk or sidewalk area.
- (g) [(f)] No person operating or riding a bicycle[,] or scooter [skateboard or

roller skates on a sidewalk] shall carry any package, bundle or article which prevents the rider from keeping two hands upon the handle bars[, nor shall a].

(h) No person operating or riding a bicycle, skateboard or roller skates[ing on a sidewalk] shall carry any packages, bundles or articles which interfere with front or rear vision, extend beyond the width of the handle bars or overall length of the bicycle, scooter, skateboard or roller skates, are excessive in weight, affect normal balance or impede the mechanical operation of the bicycle, scooter, skateboard or roller skates.

(i) [(g)] No person shall park a [motorized] bicycle, scooter or skateboard on a sidewalk except in a rack to support the same, in a location designated for such parking, or in a manner so as not to impede pedestrians.

[(h) Whenever any person is roller skating, riding a bicycle or riding a skateboard on a sidewalk, such person shall give an audible signal before overtaking or passing nearer than two feet to any pedestrian thereon.]

Sec. 8-4. Same — Sidewalks Where Operation or Riding of Bicycles, Scooters, Skateboards and Roller Skates [Riding, Roller Skating and the Operation of Skateboards] is Prohibited.

No person shall operate or ride a bicycle, scooter, [operate or ride] skateboard or roller skates on the following sidewalks and as also shown on Figure 1:

- (a) North side of Nassau Street, between Bayard Lane and Maple Street.
- (b) East and west sides of Bank Street.
- (c) East and west sides of Chambers Street.
- (d) East and west sides of Palmer Square West; east and west sides of Palmer Square East; and both north and south sides of Palmer Square South.
- (e) West side of Witherspoon Street between Nassau Street and Paul Robeson Place; east side of Witherspoon Street between Nassau Street and Wiggins Street.
- (f) West side of South Tulane Street between Nassau Street and Spring Street.
- (g) West side of Vandeventer Avenue between Nassau Street and Spring Street; east side of Vandeventer Avenue between Nassau Street and Park Place.
- (h) South side of Hulfish Street (also known as Bank Street) from Bank Street

to Chambers Street.

- (i) North and south side of Spring Street.
- (j) North and south sides of Hulfish Street from Chambers Street to Witherspoon Street.

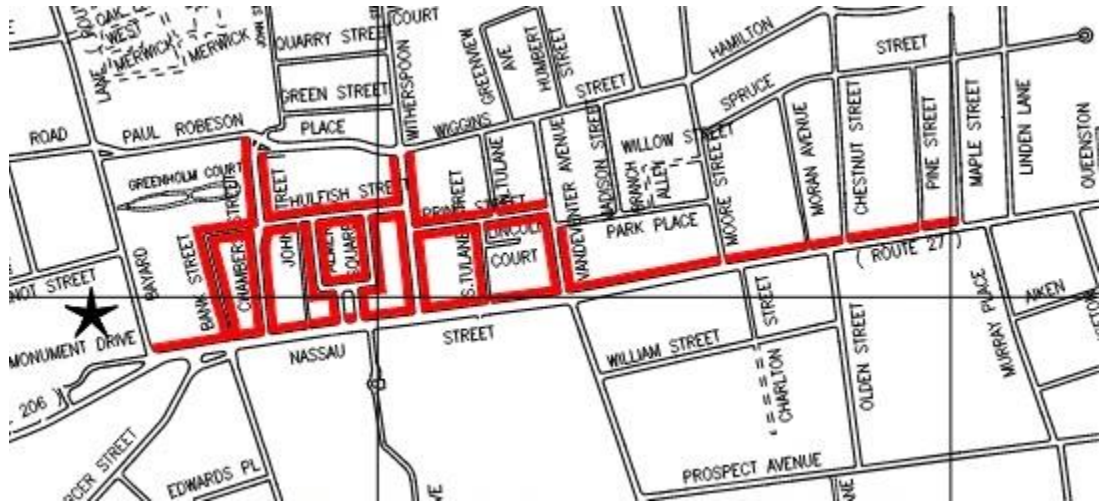


Figure 1 Sidewalks Where Operation is Prohibited

Sec. 8-4.1. Operation of [Motorized Bicycles] Other Devices on Sidewalks and Bicycle Paths Prohibited.

No person shall operate [a motorized bicycle] any device on any sidewalk or [on any] bicycle path [or way designated as a bicycle route] that is capable of exceeding 20 miles per hour and that is moved by power other than exclusively human power. This shall not be deemed to prohibit the operation of any such device on a roadway, including a designated bicycle lane thereon.

[Sec. 8-4.2. Bicycle Riding, Roller Skating and Operation of Skateboards Prohibited in Public Open Spaces.

For the purposes of this chapter, public open space shall be defined as that portion of private lands which have been made open to the public for their use and enjoyment by the owner of said lands, in connection with zoning approvals, dedication of said lands or similar means. Where the owner of said lands has filed a written request with the borough, the provisions of this chapter shall be made applicable to these public open spaces and the provisions of this chapter, with the exception of that dealing with hours of operation shall, in the discretion of the borough, be made applicable thereto.]

Sec. 8-5. Penalties.

- [(a) Any person under the age of 17 years who violates any provisions of this chapter may be, for the first offense, reprimanded in writing by the police department, addressed to the parent or guardian of the offender, stating the nature of the violation and a warning that a repetition of the same or any other violation must be prevented by the parents or guardian. On a subsequent offense, any such person under the age of 17 years may be further reprimanded or may be charged as a juvenile delinquent by the police department.]

- [(b) Any person [of the age of 17 years or over] who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in section 1-6.

Section 2. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 4. This ordinance shall take effect upon its final adoption and publication as provided for by law. The provisions of this ordinance shall be applicable within Princeton upon taking effect and shall become a part of the new Princeton Code once completed and adopted.

Rayna E. Harris, RMC, Clerk

Hon. Mark Freda, Mayor

Ordinance Introduced: November 21, 2023

Ordinance Adopted: December 18, 2023

NEWSPAPER PUBLICATIONS:

First Insertion: December 1, 2023

Final Insertion: December 22, 2023

The purpose of this ordinance is to update Princeton's existing regulations regarding the operation of bicycles, scooters and similar devices on public sidewalks, bicycle paths and roadways to ensure greater safety for pedestrians and others utilizing same.