

BOROUGH OF HIGHLAND PARK
ORDINANCE NO. 21-2025

AN ORDINANCE CONCERNING ELECTRIC SCOOTERS AND AMENDING THE "CODE OF THE
BOROUGH OF HIGHLAND PARK" BY ADDING NEW SECTION 7-12.5 TO CHAPTER 7 OF SAID CODE

BE IT ORDAINED by the Council of the Borough of Highland Park, as follows:

1. Chapter 7 of the "Code of the Borough of Highland Park" which contains the general traffic requirements within the Borough of Highland Park is amended to add thereto Section 7-12.5 which shall read as follows:

Section 7-12.5. Electric Scooters Regulations.

The purpose of this Section is to regulate electric scooters. This section shall apply to electric scooter operations and the placement upon any street or upon any public right of way within the Borough.

A. Definitions.

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

"Electric scooter" means 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 nineteen (19) miles per hour.

"Owner" means any company, entity or individual that has ownership of an electric scooter.

"Private electric scooter" means any electric scooter owned and operated by a private individual.

"Shared electric scooter" means any electric scooter owned by a company authorized and permitted by the Borough of Highland Park to offer publicly electric scooters through a pay-per-ride or subscription program.

"User" means any person who is operating an electric scooter.

B. Application of motor vehicle laws to electric scooters.

Every person riding an electric scooter within the Borough of Highland Park 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 including the provisions of Chapter 4 of Title 39 of the New Jersey Revised Statutes applicable to bicycles as defined in N.J.S. 39:4-10 and the traffic provisions of this Code applicable to the driver of a vehicle, except as to special regulations in this Section and except as to those provisions of laws and ordinances which by their nature are inapplicable to such persons.

C. Electric scooter rules and regulations.

Rules and regulations shall pertain to electric scooters and their operation within the Borough:

- (1) Obedience to Traffic Control Devices.
 - (a) Any person operating an electric scooter shall comply with New Jersey Statutes, including Chapter 4 of Title 39 of the Revised Statutes, Rules and Regulations applicable to bicycles as defined in N.J.S. 39:4-10.
- (2) Reserved.
- (3) User Age Restrictions. Electric scooter operators should follow manufacturer's recommendation regarding age of rider.
- (4) Helmet Requirements. Electric scooter operators under the age of seventeen (17) must wear a helmet per N.J.S. 39:40-10.1.
- (5) Manner of Riding. No electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.
- (6) Speed Restrictions. No person shall operate an electric scooter at a speed greater than is reasonable and prudent under the condition then and there existing provided it does not exceed nineteen (19) miles per hour.
- (7) Reserved.
- (8) Riding on Sidewalks.
 - (a) No person shall ride an electric scooter upon a sidewalk.
 - (b) Any person traveling on the sidewalk with an electric scooter shall dismount before entering the sidewalk throughway and walk the electric scooter along the sidewalk.
 - (c) No person shall start or stop an electric scooter trip on the sidewalk.
- (9) Carrying Articles. No person operating an electric scooter shall carry any package, bundle, or article, which prevents the user from keeping both hands upon the handlebars.

(10)Reserved.

(11)Lamps and Equipment on Electric Scooters.

- (a) Electric scooters in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front with a lamp emitting a red light visible from a distance of five hundred (500) feet to the rear.
- (b) Electric scooters shall be equipped with a kickstand to prevent them from toppling over when parked.

(12)Electric Scooter Parking/Placement.

- (a) Private electric scooters are permitted to be secured at municipal bicycle racks for up to four consecutive days without being utilized.
- (b) Private electric scooters may be attached or secured to the bicycle rack. No person shall attach or secure an electric scooter to any fixed object not suited for electric scooter parking or typically used for bicycle parking.
- (c) Electric scooters shall be parked in designated electric scooter parking areas if they are available and advertised as such by either signage, pavement markings or racks.
- (d) No person or owner shall leave an electric scooter lying on or standing upon the sidewalk or any portion of the Borough's right-of-way as to hinder or impede pedestrian access.

(13)Abandonment of Electric Scooters.

- (a) An electric scooter may be deemed abandoned by the Borough if:
 - i. It has been parked for a period of forty-eight (48) or more consecutive hours except in designated bicycle racks and approved marked areas;
 - ii. It appears visually to be in a state of prolonged disuse such that it has deflated tires, damaged or missing equipment making it inoperable, accumulated debris associated with it;
OR
 - iii. It is parked, placed or left on a roadway or in any public right-of-way in violation of this chapter.
- (b) It shall be unlawful for any person, user or owner to abandon any electric scooter within the Borough.
- (c) In the event that electric scooter is deemed to be abandoned as defined herein, the Borough's Department of Public Works, the Police Department or the Department of Code Enforcement shall have the authority to seize and impound same pursuant to this Section and that it will be removed.

(14)Shared Electric Scooter Rental Restriction. The shared electric scooter user shall be the same person who made the rental reservation. No person shall rent a shared electric scooter for another user.

(15)Electric Scooter Charging. No electric scooter battery shall be recharged in the public right-of-way without prior written authorization from the Borough.

(16)Electric Scooter Disposal. All electric scooters shall be disposed of in a manner in accordance with state and federal regulations as they related to hazardous materials disposal.

(17)All operators of electric scooters shall certify once (at the time of sign-up for an electric scooter program prior to riding), that they have read the state law (N.J.S.A. 39:1-1 et seq.) and the herein ordinance governing electric scooter use.

(18)Electric scooters shall only be operated on bicycle paths and roadways in public parks.

D. Violations and penalties.

- (1) Except as detailed below, in the event that any user or owner violates the terms of this Section, the violator shall be subject to a fine in the Municipal Court of the Borough of Highland Park in an amount of one hundred dollars (\$100.00) for a non-moving violation. No court appearance shall be required for this violation.
- (2) If the offense involves a moving violation under Title 39, then the violation shall be subject to appropriate Title 398 penalties as determined by the Municipal Court Magistrate.

E. Voluntary personal scooter registration.

Any resident of the Borough that desires to voluntarily register their privately owned person electric scooter may do so with the Highland Park Police Department.

2. **Severability.**

If any section, paragraph, subsection, clause or provision of this Section shall be judged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remained of this Section shall be valid and enforceable.

3. **Effective Date.**

This ordinance shall take effect upon final adoption and publication as required by law.

Introduced and passed on first
reading: July 6, 2021

ADOPTED: August 3, 2021

ATTEST:

APPROVED: August 3, 2021

Joan Hullings, Borough Clerk

Gayle Brill Mittler, Mayor