

## **Bergen County Board of Chosen Freeholders Ordinance**

**An ordinance prohibiting the use of gas or electric powered motor scooters by unlicensed drivers on county roads and in county parks and for other purposes.**

WHEREAS, the County of Bergen has an extensive County Government and is made up of 70 municipalities, each with a government structure; and

WHEREAS, the Board of Chosen Freeholders has found that there is a significant problem with young unlicensed drivers taking to the County roads and County parks, with unlicensed or unregistered gas or electric powered motorized scooters that are not licensed by the state or the municipality; and

WHEREAS, such drivers frequently do not utilize helmets and do not appreciate the need to use hand traffic signals to signify that they are slowing down or intending to stop; that they are turning to the left, or to the right, or that they can be a hazard to licensed drivers who traverse the County roads from time to time; and

WHEREAS, the County of Bergen does not presently regulate such vehicles, but has the inherent power to protect, preserve, and defend the public safety.

NOW THEREFORE BE IT ORDAINED, by the Board of Chosen Freeholders to the County of Bergen as follows:

1. Upon enactment of this Ordinance, gas or electric powered motorized scooters shall not e permitted to drive on any County Park or on any County property.
2. This Ordinance shall not affect nor is it intended to effect the use of any vehicles that is foot-powered such as bicycle, tricycle or similar vehicle, from operating safely, and in accordance with the law, in any County park.
3. Notwithstanding any other provision of law, any driver of or passenger on such motorized vehicle that traverse a County park shall be required to wear a helmet if they would be required to wear a helmet if they were operating a bicycle, or driving a motorcycle.

skateboards, whether powered by gas or electric motors, are illegal when operated on the roadways, sidewalks, or public property in New Jersey. Many municipalities also prohibit their operation through local ordinances.

These vehicles, commonly known as "go-boards" are classified as motor vehicles under the New Jersey Motor Vehicles Laws, N.J.S. 39:1-1, which states: ***"Motor vehicle"***

*includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks and motorized bicycles.*

The New Jersey Motor Vehicle Commission has further defined these "go-boards" as motorcycles under N.J.S. 39:1-1 which states: ***"Motorcycle"** includes motor bikes, bicycles with motors attached and all motor-operated vehicles of the bicycle or tricycle type, except motorized bicycles as defined in this section, whether the motive power be a part thereof or attached thereto and having a saddle or seat with driver sitting astride or upon it or a platform on which the driver stands.*

These vehicles are legally defined as motorcycles, albeit small ones, under the laws of New Jersey. Under current New Jersey law, these vehicles cannot be registered because they lack fundamental safety equipment. The manufacturer warning label placed on many of the vehicles stating that the vehicle is not in compliance with federal law and are not to be operated on public roadways supports this fact.

Operation of these vehicles on the roadways, sidewalks or public property of this state could result in the operator being cited for operating an unregistered and uninsured vehicle and the impoundment of the vehicle. If the parents purchase one of these vehicles and allowed an unlicensed driver to operate their vehicle they could face a charge of allowing an unlicensed driver to operate the vehicle under N.J.S.39:3-37-1.