



# Quick Summary

# New Jersey Bicycle and Pedestrian Laws

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## Laws for Pedestrians

- No pedestrian shall leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield or stop. (39:4-32.a; 39:4-36.a. (2))
- At intersections where traffic is directed by a police officer or a traffic signal, no pedestrian shall enter upon or cross the highway at a point other than a crosswalk. (39:4-33.)
- Where traffic is not controlled and directed either by a police officer or a traffic control signal, pedestrians shall cross the roadway within a crosswalk, or, in the absence of a crosswalk, and where not otherwise prohibited, at right angles to the roadway. (39:4-34)
- No pedestrian shall cross a roadway against the "stop" or red signal at a cross walk whether marked or unmarked, unless otherwise specifically directed by a police officer or traffic control device. (39:4-32.a.)
- A pedestrian crossing or starting to cross an intersection on a "go" or green signal, but who is still within the crosswalk when the signal changes, shall have the right of way until he reaches the opposite curb or place of safety. (39:4-32.c.)
- Every pedestrian upon a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection, shall yield the right-of-way to all vehicles. (39:4-36.a. (4))
- It shall be unlawful for a pedestrian to cross a highway having roadways separated by a median barrier, except where provision is made for pedestrian crossing. (39:4-34)
- Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. (39:4-34)
- On all highways where there are no sidewalks or paths provided for pedestrian use, pedestrians shall, when practicable, walk only on the extreme left side of the roadway or its shoulder facing approaching traffic. (39:4-34)
- A pedestrian shall exercise due care for his safety. (39:4-32.g.; 39:4-36.a. (5))

*Violation of 39:4-32 and 33 carries a \$54 fine for failure to obey the law.*

## Laws for Motorists around Pedestrians

- The driver of a vehicle shall STOP and remain stopped to allow a pedestrian to cross the roadway within a marked crosswalk, when the pedestrian is upon or within one lane of the half of the roadway\* upon which the vehicle is traveling or onto which it is turning. (39:4-36.a. (1))
- The driver of a vehicle shall yield the right of way to a pedestrian crossing the roadway within any unmarked crosswalk at an intersection, except at crosswalks when the movement of traffic is being regulated by police officers or traffic control devices. (39:4-36.a.)
- Whenever any vehicle is stopped to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle. (39:4-36.a. (3))
- A driver shall exercise due care for the safety of any pedestrian upon a roadway. (39:4-32.g.; 39:4-36.a. (5))
- In the event of a collision between a vehicle and a pedestrian within a marked or unmarked crosswalk at an intersection, there shall be a permissive inference that the driver did not exercise due care for the safety of the pedestrian. (39:4-32.h.; 39:4-36.d.)

*Violation of 39:4-32 and 36 carries a \$200 fine, 2 motor vehicle points and the possible imposition of 15 days of community service. If the violation results in serious bodily injury to the pedestrian, the fine is not less than \$100 or more than \$500 and may result in up to 25 days of imprisonment or a license suspension of up to 6 months or both.*

\*Half of the roadway means all traffic lanes conveying traffic in one direction of travel, and includes the entire width of a one-way roadway.

## Laws for Bicyclists

- A bicyclist riding on a roadway is granted all the rights and subject to all of the duties of a motor vehicle operator including

stopping at stop signs and red lights and for pedestrians. [39:4-14.1.]

- A bicyclist riding on a roadway shall ride as near to the right of the roadway (in the same direction as vehicular traffic) as practicable exercising due care when passing a stationary vehicle or one proceeding in the same direction. A bicyclist may move left under any of the following conditions [39:4-14.2.; 39:4-10.1.):
  - To make a left turn from a left turn lane
  - To avoid debris, drains or other roadway hazards
  - To pass a slower moving vehicle
  - To occupy any available lane when traveling at the same speed as other traffic
  - To travel no more than two abreast when traffic is not impeded, but otherwise ride in single file
- When riding at night, every bicycle shall be equipped with a front headlamp emitting a white light visible from at least 500 feet to the front and a rear lamp emitting a red light visible from at least 500 feet to the rear. A red reflector may also be mounted on the rear. [39:4-10].
- A bicycle must be equipped with a brake and a bell or other audible device that can be heard at least 100 feet away. [39:4-11.; 39:4-11.1.]
- A bicyclist shall keep both hands on the handlebars and feet on the pedals, limit passengers to the number the bicycle is designed and equipped to carry (one person per seat), and refrain from hitching a ride from another vehicle. [39:4-12.; 39:4-14.]
- Anyone under 17 years old, who rides a bicycle, is a passenger on a bicycle or is towed as a passenger by a bicycle must wear an approved bicycle helmet. [39:4-10.1.]
- While riding a bicycle is not prohibited by New Jersey law, some municipalities have ordinances in place prohibiting bicycles on sidewalks.

*Violation of 39:4-10, 11 and 14 carries a fine of not more than \$50 for the first offense and not more than \$100 for a subsequent offense. For violation of 39:4-10.1, a parent or legal guardian may be assessed a fine of not more than \$25 for the first offense and a maximum of \$100 for a subsequent offense. The fine may be waived with proof of an approved helmet.*

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