

NJ Safe Passing Law Overview



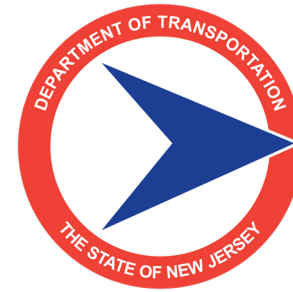
Acknowledgements

Safe Passing Law coordination is being funded through:

NJ Department of Transportation

NJ Division of Highway Traffic Safety

Thank you to all partner organizations and people providing time and expertise to assist in these efforts.



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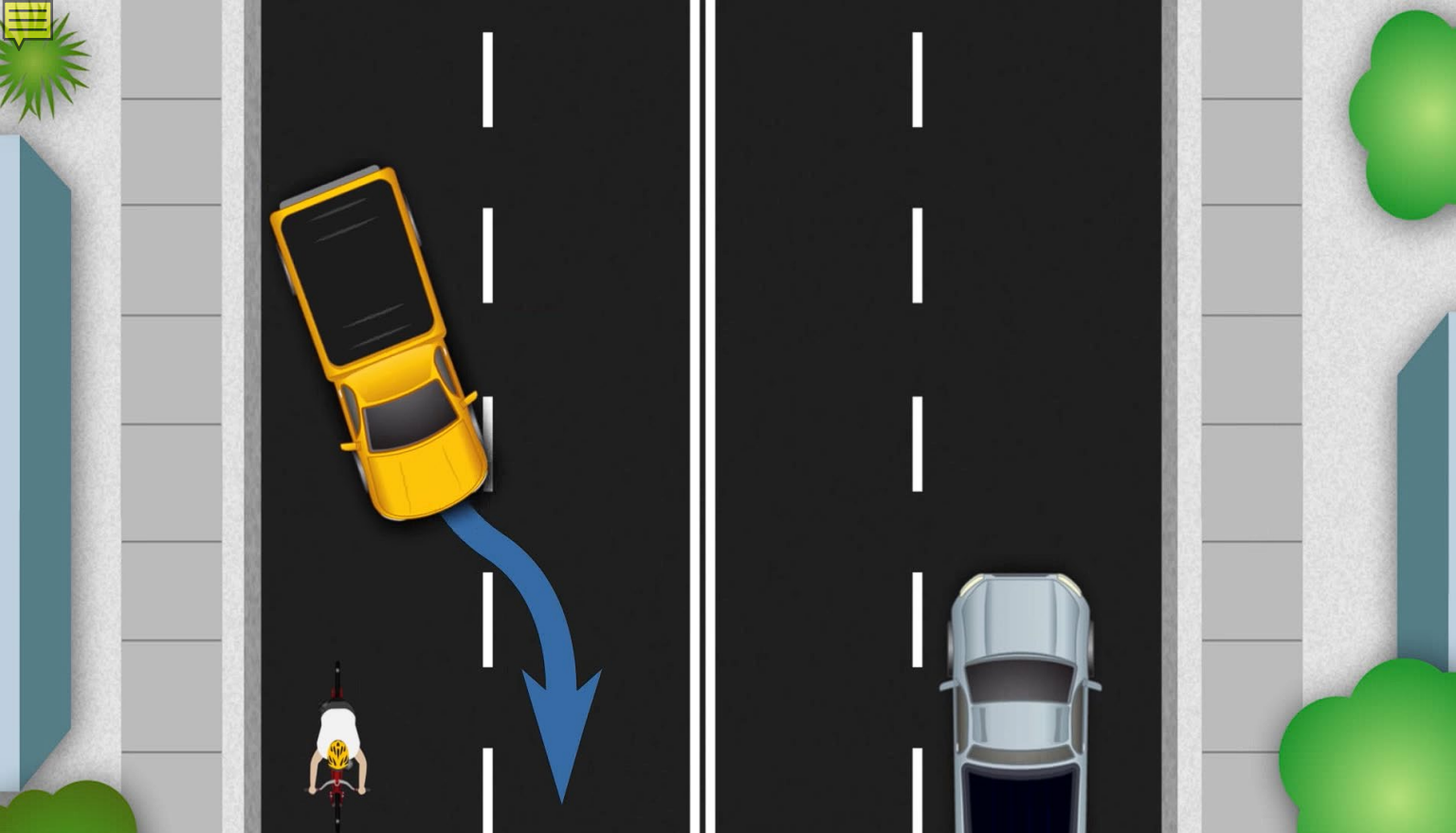
Edward J. Bloustein School
of Planning and Public Policy



What is the new Safe Passing Law?

The NJ Safe Passing Law
(Title 39:4-92.4)
requires drivers to use
“due caution” when they see
vulnerable people on the road.

- Drivers must **move over a lane** if possible (while following existing laws).
- Drivers must provide a distance of **at least 4 feet when passing** vulnerable road users.
- Otherwise, drivers must **slow to 25mph** and **be prepared to stop** until they can pass safely.



What is “safe passing”?

Why is the law essential?

It aims to prevent **near misses, injuries** and **deaths** that can occur when motorists pass cyclists or pedestrians on the road.

2021 was deadliest year for NJ bicyclists & pedestrians in **30** years.

23% increase in pedestrian fatalities

44% increase in bicyclist fatalities

A person with a backpack is walking on a sidewalk next to a road. A speed limit sign for 40 is visible. The scene is outdoors with trees and a clear sky.

Why is the law essential?

Laws like this **contribute to a cultural shift** towards safer travel habits by **establishing**:

- ✓ A **right to the road** for people (on foot, bicycle, scooter or wheelchair) as **legitimate road users**.
- ✓ A responsibility of **faster, heavier** road users to be **cautious around vulnerable road users**.
- ✓ A **standard buffer of 4 feet**, increasing road users' level of **comfort and safety**.

Frequently Asked Questions

Is it really that big of a deal for a driver to hurry up and squeeze by someone sharing the road?

- Yes. **Fatalities are on the rise.**
- Every day, people experience **risky passes** that leave **no margin for error**, sometimes with **fatal consequences**



Frequently Asked Questions

How will police enforce the law?

- The first step is direct **education given to drivers** who violate the law. The Safe Passing Law joins the **Move Over Law** and the **Stop and Stay Stopped Law** in providing **police** with a **specific citation** for unsafe driving.

Frequently Asked Questions

What is the penalty if a driver doesn't follow the Safe Passing Law?

- **\$100 fine** (\$500 if bodily injury) and **two points** on your driving record.



Frequently Asked Questions

How will people learn about the Safe Passing Law?

- **State agencies and advocacy groups** are working together to spread the word via social media posts, electronic signs, yard signs, news articles and special events.

Frequently Asked Questions

I've heard this sometimes referred to as "Oscar's Law." Who was Oscar?

- **Oscar Zanoni** was a beloved 44-year-old Metuchen resident.
- Unable to operate a car due to childhood illness, he was well known for **riding his electric bicycle everywhere**.
- Tragically, in 2020 he was **fatally struck by a tractor-trailer** while riding his e-bike on Route 27 near Vineyard Road in Edison, NJ.
- The bill was introduced in his honor by three Democratic lawmakers representing NJ's 18th legislative district, which includes Metuchen and Edison.

Frequently Asked Questions

What if there isn't enough space on a narrow road to give 4 feet while passing?

- If a 4-foot safety zone is not available, drivers must **slow to 25mph** and be prepared to stop **until they can pass safely** without endangering those sharing the road.

Frequently Asked Questions

What if the vulnerable road user is in the shoulder, or a painted bike lane?

- **Slow down** to 25mph, approach with **due caution**, and **move over** a lane if possible. Leave **4 feet** of space **from the person** sharing the road—not the painted line on the road.

Frequently Asked Questions

What if the vulnerable road user is in a traffic circle or roundabout?

- Slow down, approach with due caution, and **yield** to the person sharing the circle **until it is safe to pass**.

Frequently Asked Questions

How do I pass a single line of cyclists, runners, or walkers?
What if they are travelling two-abreast?



Cyclists **may legally take the full lane** for their own safety. They can also **legally ride two-abreast** as far to the right as “practicable”, providing they do not “impede traffic.”



Slow down, approach with due caution, and **yield until it's safe to pass every person in the group** with four feet of space.



Only move back into the lane **when safely beyond the front of the group**.
Do not cut off the group to make a turn in front of them.

How does Safe Passing relate to other NJ road safety laws?

- The “**Slow Down, Move Over**” Law requires **motorists approaching** authorized vehicles with emergency lights flashing to **slow down or move one lane over** from the incident.
- The law “**protects essential workers** like emergency responders, highway crews, tow truck operators, **and others when working along the road**” (i.e., ‘**vulnerable road users**’).



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NJ Traffic Incident Management Task Force reminds motorists to Slow Down, Move Over to Save Lives **Twenty-two emergency responders killed on roadways in 2021**

(Trenton) – New Jersey Department of Transportation (NJDOT) Commissioner Diane Gutierrez-Scaccetti and New Jersey State Police Superintendent Colonel Patrick Callahan, along with a coalition of transportation agencies that comprise the NJ Traffic Incident Management (NJTIM) task force, today announced the launch of a bumper sticker and poster campaign to raise public awareness of the Slow Down, Move Over Law.

The Slow Down, Move Over Law requires motorists who are approaching authorized vehicles displaying emergency lights to slow down or move over one lane away from the incident when it is safe to do so. The law was designed to help protect the lives of essential workers, including police, fire, emergency responders, highway operations crews, tow truck operators, and Safety Service Patrol staff, when working along the highway.

"The Slow Down, Move Over campaign is not just a catch phrase. For the emergency responders and others who serve the motoring public, the highway is their office," NJDOT Commissioner Diane Gutierrez-Scaccetti said. "We want everyone to get home safe, every night. The goal is to remind drivers approaching stopped emergency or work vehicles to please slow down and if it is safe to do so, move over. That simple act could save a life."

This bumper sticker and poster campaign is timed to coincide with the start of the busy summer driving season. The stickers will be placed on the bumpers of NJDOT and participating emergency response vehicles across the state.

The florescent pink color of these bumper stickers is not only meant to catch your eye, but they match the emergency incident sign color used at roadway incident scenes across the United States. These warning signs indicate to motorists that they are approaching an emergency scene and need to slow down, and if it is safe to do so, move over.

How does Safe Passing relate to other NJ road safety laws?

- The “**Stop and Stay Stopped**” Law requires drivers to stop when pedestrians are crossing a marked intersection, and **yield to pedestrians** crossing at unmarked intersections.
- The law “**reinforces the importance of pedestrians** using crosswalks, **their safety zone**, and for motorists to recognize that **when approaching crosswalks, they must be alert** for pedestrians.”

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DIVISION OF HIGHWAY TRAFFIC SAFETY

Eric Heitmann
Director

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Pedestrian Safety

Motorists who see pedestrian(s) in a marked crosswalk **MUST**:

STOP and stay STOPPED

Old New Jersey Law | Beginning April 1, 2010

Old New Jersey Law: YIELD HERE TO

Beginning April 1, 2010: STOP HERE FOR

STATE LAW WITHIN CROSSWALK: YIELD TO | STOP FOR

MOTORISTS in New Jersey **MUST** stop for pedestrians in a marked crosswalk. Failure to observe the law may subject you to one or more of the following:

510 Fatalities on New Jersey Roads Put the Brakes on Fatalities
Driving While Intoxicated in New Jersey
CLICK IT or TICKET Seat Belts Save Lives!
Bicycle and Pedestrian Safety
Motorcycle Safety
Video Lending Library
Protect Your Children by Checking Their Car Seats
#17 Report Dangerous Drivers Call #77 on your cell phone
NJ Amber Alert Plan (Child Abduction Alert System)
NJ Sex Offender Registry

How does Safe Passing relate to other NJ road safety laws?

- Thanks to **enthusiastic support and outreach efforts** from NJDOT, DHTS, and others, **these laws were great successes**, and show **NJ is working continuously to reduce road fatalities**.
- The Safe Passing Law **builds on the success** of these **existing NJ road safety laws by expanding protections for vulnerable road users**.



General observations from research

Separated infrastructure is more effective than Safe Passing Laws alone in reducing crashes.

The law keeps vulnerable people safer on roads that lack separated infrastructure.

It increases the space given by careful drivers and reduces the feeling of danger.

Drivers will only comply if they believe the law is reasonable and enforceable.

An awareness campaign is essential.
Success relies on wide public awareness.

The "4 foot" distance is meaningful:
It protects a falling cyclist from colliding with a passing vehicle.

Methods of enforcement



Codaxus C3FT device can measure passing distances.



Vulnerable road users can use personal video as evidence in court.

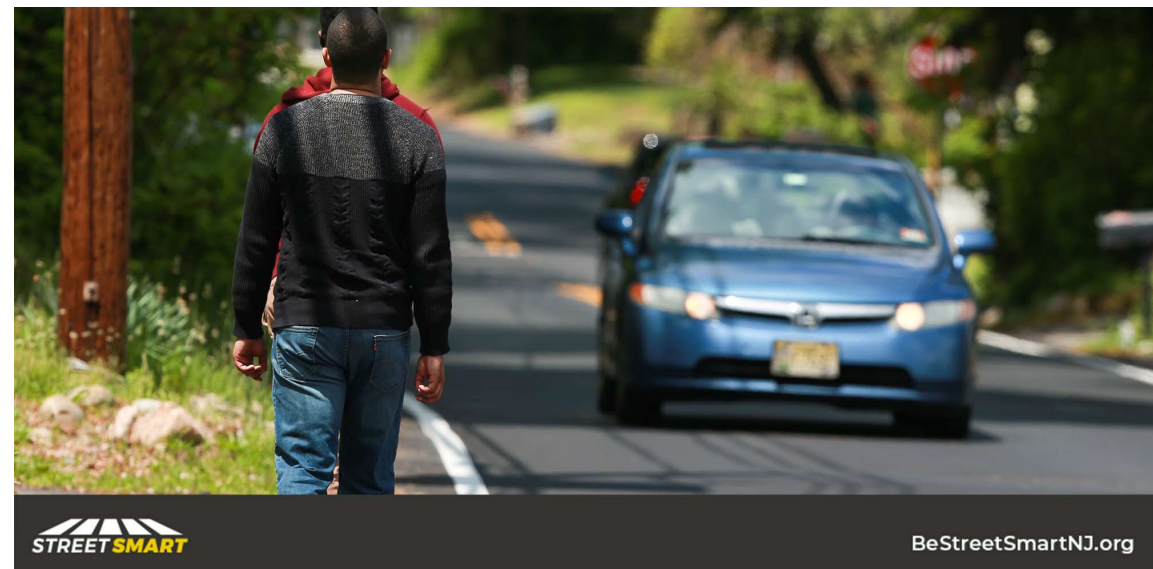
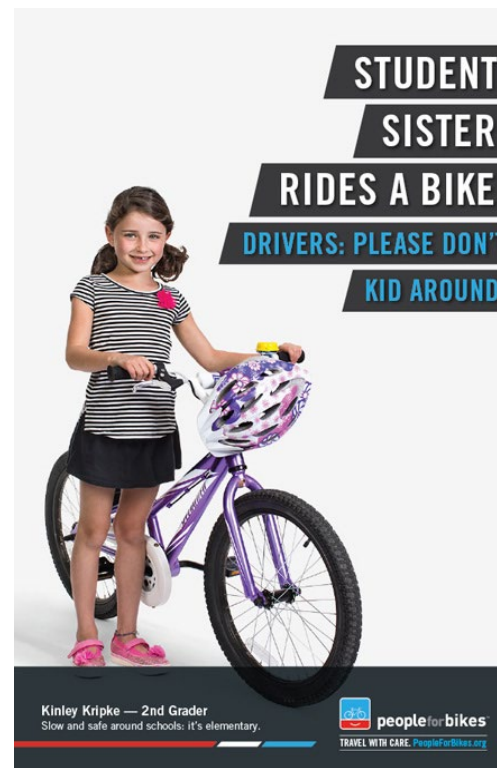
The background image shows a street scene. On the left, there are utility poles and a sign for 'SAN JOSE'. In the center, there are traffic lights and a car. On the right, there is a white house and a person riding a motorized scooter or small vehicle down the road. The text is overlaid on this image.

Thoughts on education and outreach

- The Safe Passing Law is primarily an **educational tool** rather than a means to punish negligent motorists.
- It can be a significant step towards increasing bicycle safety, but **only if people are aware of its existence.**
- There should be **visible displays** (e.g., bumper stickers or posters) **in places frequented by motorists** (like gas stations or MVC testing sites).

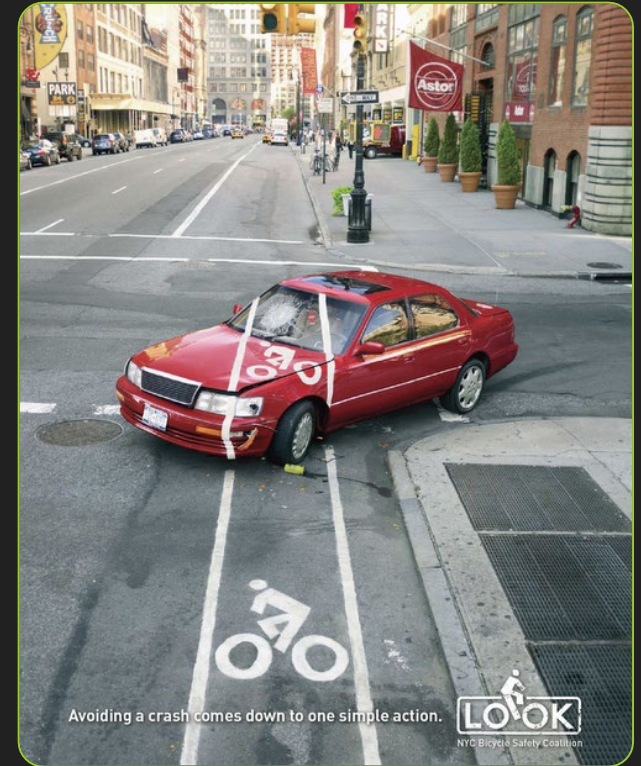
Thoughts on messaging

- Campaigns should focus on **behavior change** rather than simply **informing**.
- **Emotional campaigns are more effective** at increasing safety.
- **Avoid fear-based emotional campaigns** that portray micromobility as unsafe.
- Safety campaigns that **personalize and humanize** vulnerable road users are ideal.



More thoughts on messaging

- Events and giveaways reach a **narrow audience** and offer either **too much or too little info**.
- **Try not to divide** your audience. Aim to portray micromobility as a **mainstream, ordinary option for transportation**.
- Try to explain everyone's **needs and behaviors**.
- Use an **easy-to-understand** message applicable to a **wide range** of people.



Avoiding a crash comes down to one simple action.



A person wearing a blue shirt and a helmet is riding a bicycle on a paved road. To their left, a dark-colored car is parked or moving slowly. The road curves to the right, and there are trees and a guardrail in the background. The scene is outdoors during the day.

Support from local advocates

- Successful campaigns rely on **local champions** and **broad reach**.
- **Reach out to your own contacts** and local groups to help **increase awareness** of the Safe Passing Law.
- **Consider telling five friends** about the new law and **encourage them to tell five friends** as well!

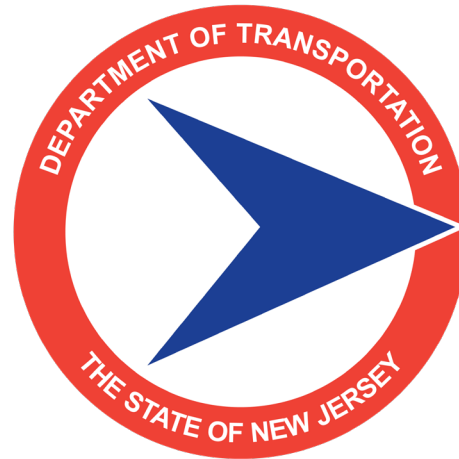
**For more information,
visit:**

**NJ Bicycle & Pedestrian
Resource Center, Rutgers:**

<http://njbikeped.org/nj-safe-passing-law/>

NJ Bike & Walk Coalition:

<https://njbwc.org/team4nj/>



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