

ASSEMBLY, No. 2686

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 27, 2006

Sponsored by:

Assemblyman **PAUL D. MORIARTY**

District 4 (Camden and Gloucester)

Assemblyman **DAVID R. MAYER**

District 4 (Camden and Gloucester)

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Assemblyman **Gusciora**

SYNOPSIS

Prohibits sale of certain bicycles with quick release wheels.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT the prohibiting the sale of certain bicycles with quick
2 release wheels and supplementing P.L.1960, c.39 (C.56:8-1 et
3 seq.).

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Legislature hereby finds and declares that:
9 Children riding bicycles with quick release wheels have been
10 involved in over 100 accidents;

11 Many of the children involved in these accidents have suffered
12 injuries, including permanent scarring, disfigurement, major bone
13 and dental trauma, severe scraping and bruising, brain injury, and
14 ruptured internal organs;

15 Multiple bicycle manufacturers have recalled their quick release
16 mechanisms due to failure of the mechanism; and

17 The danger to children caused by bicycles with quick release
18 wheels is unacceptable in light of the fact that safer alternatives
19 exist.

20 It is, therefore, altogether fitting and proper that the State
21 regulate the sale of bicycles with quick release wheels to stem the
22 rash of senseless injuries to children resulting from their use.

23

24 2. a. It shall be an unlawful practice for any person to sell a
25 bicycle intended for use by children which is equipped with a quick
26 release wheel.

27 b. For the purposes of this act, "quick release wheel" means a
28 wheel which does not require the use of any tools to be removed
29 from the bicycle.

30 A wheel which:

31 (1) is equipped with, or has been retrofitted with, a mechanism
32 designed to hold the wheel in place in an emergency, including but
33 not limited to a retainer clip; or

34 (2) requires significant level of dexterity to remove, so as to
35 reasonably prevent removal by a child,

36 shall not be construed to be a "quick release wheel" for the
37 purposes of this act.

38

39 3. This act shall take effect on the first day of the third month
40 after enactment.

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STATEMENT

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45 This bill would make it an unlawful practice for any person to
46 sell a bicycle intended for use by children which is equipped with a
47 quick release wheel.

1 The bill defines "quick release wheel" as a wheel which does not
2 require the use of any tools to be removed from the bicycle. Under
3 the bill, wheels:

- 4 • equipped or retrofitted with retainer devices; or
 - 5 • which require a significant level of dexterity to remove, so as to
6 reasonably prevent removal by a child
- 7 would not be considered quick release wheels.

8 An unlawful practice under the Consumer Fraud Act is
9 punishable by a monetary penalty of not more than \$10,000 for a
10 first offense and not more than \$20,000 for any subsequent offense.
11 In addition, a violation can result in cease and desist orders issued
12 by the Attorney General, the assessment of punitive damages and
13 the awarding of treble damages and costs to the injured party.