

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 924 Session of  
2005

INTRODUCED BY GREENLEAF, MADIGAN, PUNT, D. WHITE, TOMLINSON,  
STOUT, CORMAN, TARTAGLIONE, MUSTO, LEMMOND, WONDERLING,  
C. WILLIAMS, STACK, BOSCOLA, EARLL, O'PAKE, KITCHEN AND  
REGOLA, OCTOBER 13, 2005

SENATOR MADIGAN, TRANSPORTATION, AS AMENDED, JUNE 20, 2006

## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for definitions; providing for  
3 regulation and operation of neighborhood electric vehicles;  
4 and further providing for operation of vehicle without  
5 official certificate of inspection.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Section 102 of Title 75 of the Pennsylvania  
9 Consolidated Statutes is amended by adding a definition to read:

10 § 102. Definitions.

11 Subject to additional definitions contained in subsequent  
12 provisions of this title which are applicable to specific  
13 provisions of this title, the following words and phrases when  
14 used in this title shall have, unless the context clearly  
15 indicates otherwise, the meanings given to them in this section:

16 \* \* \*

17 "Neighborhood electric vehicle." A four-wheeled electric  
18 vehicle that has a maximum design speed of not less than 20

1 miles per hour and of not more than 25 miles per hour and that  
2 is certified by the manufacturer to comply with the Federal  
3 motor vehicle safety standards established in 49 CFR 571.500  
4 (relating to standard no. 500; low-speed vehicles).

5 \* \* \*

6 Section 2. Chapter 35 of Title 75 is amended by adding a  
7 subchapter to read:

8 SUBCHAPTER F

9 OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES

10 Sec.

11 3591. Scope of subchapter.

12 3592. Required equipment.

13 3593. Operation on certain highways or roadways.

14 ~~3594. Classification as passenger vehicles.~~ <—

15 3594. LICENSING, FINANCIAL RESPONSIBILITY, TITLING AND <—  
16 REGISTRATION.

17 3595. Seating limitation.

18 3596. WAIVER OF LIABILITY. <—

19 § 3591. Scope of subchapter.

20 This subchapter applies to the operation of neighborhood  
21 electric vehicles on certain highways or roadways in this  
22 Commonwealth.

23 § 3592. Required equipment.

24 ~~(a) General rule. A neighborhood electric vehicle shall be~~ <—  
25 ~~equipped in accordance with 49 CFR 571.500 (relating to standard~~  
26 ~~no. 500; low speed vehicles). Notwithstanding the provisions of~~  
27 ~~49 CFR 571.500, required properly functioning equipment shall~~  
28 ~~include headlamps, stop lamps, turn signal lamps, reflex~~  
29 ~~reflectors, a parking brake, a rearview exterior mirror, a~~  
30 ~~rearview interior mirror, a windshield, a windshield wiper, a~~

~~speedometer, an odometer, braking for each wheel, seat belts, a vehicle identification number and such other equipment as is required by Federal regulations.~~

~~(b) Exemption. A neighborhood electric vehicle shall be exempt from equipment requirements not enumerated in this subchapter.~~

~~§ 3593. Operation on certain highways or roadways.~~

~~(a) General rule. Notwithstanding any other provision of Chapter 33 (relating to rules of the road in general) to the contrary, a neighborhood electric vehicle may be operated only on a highway or roadway with a speed limit of 35 miles per hour or less.~~

~~(b) Construction. This section shall not be construed to prohibit a person from operating a neighborhood electric vehicle across an intersection where the highway or roadway has a posted speed limit of more than 35 miles per hour.~~

~~§ 3594. Classification as passenger vehicles.~~

~~A neighborhood electric vehicle shall be considered a passenger car for the purposes of Part II (relating to title, registration and licensing) and section 4581 (relating to restraint systems).~~

~~§ 3595. Seating limitation.~~

~~A neighborhood electric vehicle may not be operated at a time in which the number of passengers exceeds the number of available safety belts in the vehicle.~~

(A) GENERAL RULE.--A NEIGHBORHOOD ELECTRIC VEHICLE OPERATED  
UPON ANY HIGHWAY OR ROADWAY IN THIS COMMONWEALTH SHALL BE  
MAINTAINED IN PROPER CONDITION AND COMPLY WITH THE EQUIPMENT  
REQUIREMENTS AND STANDARDS AS SET FORTH IN 49 CFR § 571.500  
(RELATING TO STANDARD NO. 500; LOW-SPEED VEHICLES). A

1 NEIGHBORHOOD ELECTRIC VEHICLE OPERATED UPON ANY HIGHWAY OR  
2 ROADWAY IN THIS COMMONWEALTH SHALL BE EQUIPPED WITH THE  
3 FOLLOWING ADDITIONAL EQUIPMENT:

4 (1) BRAKES ADEQUATE TO CONTROL THE MOVEMENT OF AND TO  
5 STOP SUCH VEHICLE.

6 (2) AN ODOMETER.

7 (3) A SPEEDOMETER.

8 (4) THE ORIGINAL MANUFACTURER'S VEHICLE IDENTIFICATION  
9 NUMBER DIE STAMPED UPON THE BODY OR FRAME, OR BOTH, OF THE  
10 VEHICLE OR THE ORIGINAL MANUFACTURER'S VEHICLE IDENTIFICATION  
11 NUMBER DIE STAMPED UPON THE ENGINE OR MOTOR OF THE VEHICLE.

12 (B) EXEMPTION.--A NEIGHBORHOOD ELECTRIC VEHICLE SHALL BE  
13 EXEMPT FROM EQUIPMENT REQUIREMENTS NOT ENUMERATED IN THIS  
14 SUBCHAPTER.

15 (C) SLOW MOVING VEHICLE EMBLEM.--A NEIGHBORHOOD ELECTRIC  
16 VEHICLE SHALL HAVE A SLOW MOVING VEHICLE EMBLEM AFFIXED IN A  
17 CONSPICUOUS PLACE ON THE REAR OF THE VEHICLE CONSISTENT WITH THE  
18 PROVISIONS OF SECTION 4529 (RELATING TO SLOW MOVING VEHICLE  
19 EMBLEM).

20 (D) PENALTIES.--ANY PERSON WHO OPERATES A NEIGHBORHOOD  
21 ELECTRIC VEHICLE WITHOUT THE EQUIPMENT PRESCRIBED IN THIS  
22 SECTION SHALL BE SUBJECT TO THE PENALTIES UNDER SECTION 6502  
23 (RELATING TO SUMMARY OFFENSES).

24 § 3593. OPERATION ON CERTAIN HIGHWAYS OR ROADWAYS.

25 (A) OPERATION ON STATE HIGHWAYS.--

26 (1) EXCEPT AS OTHERWISE PROVIDED UNDER PARAGRAPHS (2)  
27 AND (3), A NEIGHBORHOOD ELECTRIC VEHICLE MAY NOT BE OPERATED  
28 UPON ANY HIGHWAY OR ROADWAY UNDER THE JURISDICTION OF THE  
29 DEPARTMENT WITH A POSTED SPEED IN EXCESS OF 25 MILES PER  
30 HOUR.

1           (2) THE SECRETARY MAY, BY ORDER, PERMIT THE USE OF A  
2 NEIGHBORHOOD ELECTRIC VEHICLE UPON ANY HIGHWAY OR ROADWAY  
3 UNDER THE JURISDICTION OF THE DEPARTMENT WHERE THE POSTED  
4 SPEED LIMIT IS GREATER THAN 25 MILES PER HOUR BUT NOT GREATER  
5 THAN 35 MILES PER HOUR.

6           (3) THE SECRETARY MAY, BY ORDER, PROHIBIT THE USE OF  
7 LOW-SPEED VEHICLES ON ANY STREET UNDER THE JURISDICTION OF  
8 THE DEPARTMENT WHERE THE SECRETARY DETERMINES THAT THE  
9 OPERATION OF A NEIGHBORHOOD ELECTRIC VEHICLE WOULD CONSTITUTE  
10 A HAZARD.

11           (4) ANY ORDER ISSUED BY THE SECRETARY UNDER PARAGRAPH  
12 (2) OR (3) SHALL BE PUBLISHED IN THE PENNSYLVANIA BULLETIN.

13 (B) OPERATION ON LOCAL ROADWAYS.--

14           (1) EXCEPT AS OTHERWISE PROVIDED UNDER PARAGRAPH (2) OR  
15 (3), A NEIGHBORHOOD ELECTRIC VEHICLE MAY NOT BE OPERATED UPON  
16 ANY HIGHWAY OR ROADWAY UNDER THE JURISDICTION OF A LOCAL  
17 AUTHORITY WITH A POSTED SPEED LIMIT IN EXCESS OF 25 MILES PER  
18 HOUR.

19           (2) LOCAL AUTHORITIES MAY, BY ORDINANCE OR RESOLUTION,  
20 AS APPROPRIATE, IN THE CASE OF ANY ROADWAY UNDER THEIR  
21 JURISDICTION, PERMIT THE USE OF A NEIGHBORHOOD ELECTRIC  
22 VEHICLE WHERE THE POSTED SPEED LIMIT IS GREATER THAN 25 MILES  
23 PER HOUR BUT NOT GREATER THAN 35 MILES PER HOUR.

24           (3) A LOCAL AUTHORITY MAY, BY ORDINANCE OR RESOLUTION,  
25 AS APPROPRIATE, PROHIBIT THE USE OF A NEIGHBORHOOD ELECTRIC  
26 VEHICLE ON ANY ROADWAY WHERE THE LOCAL AUTHORITY DETERMINES  
27 THAT THE OPERATION OF A NEIGHBORHOOD ELECTRIC VEHICLE WOULD  
28 CONSTITUTE A HAZARD.

29 (C) INTERSECTION WITH STATE HIGHWAYS.--

30           (1) A NEIGHBORHOOD ELECTRIC VEHICLE MAY ENTER AN

1 INTERSECTION AND CROSS ANY HIGHWAY OR ROADWAY UNDER THE  
2 JURISDICTION OF THE DEPARTMENT WHERE THE POSTED SPEED LIMIT  
3 IS 35 MILES PER HOUR OR LESS, PROVIDED THAT IF THE HIGHWAY OR  
4 ROADWAY IS MORE THAN TWO LANES OR IS DIVIDED, SUCH CROSSING  
5 SHALL ONLY OCCUR AT A SIGNALIZED INTERSECTION OR AT A  
6 NONSIGNALIZED INTERSECTION AS THE SECRETARY DETERMINES IS  
7 APPROPRIATE FOR SUCH CROSSINGS EITHER ON THE SECRETARY'S OWN  
8 MOTION OR AT THE REQUEST OF A LOCAL AUTHORITY.

9 (2) A NEIGHBORHOOD ELECTRIC VEHICLE MAY ENTER AN  
10 INTERSECTION AND CROSS ANY HIGHWAY OR ROADWAY UNDER THE  
11 JURISDICTION OF THE DEPARTMENT WHERE THE POSTED SPEED LIMIT  
12 IS IN EXCESS OF 35 MILES PER HOUR ONLY AT A SIGNALIZED  
13 INTERSECTION OR AT SUCH NONSIGNALIZED INTERSECTION AS THE  
14 SECRETARY DETERMINES IS APPROPRIATE FOR SUCH CROSSING EITHER  
15 UPON THE SECRETARY'S OWN MOTION OR AT THE REQUEST OF A LOCAL  
16 AUTHORITY.

17 (D) INTERSECTION WITH LOCAL ROADWAYS.--

18 (1) A NEIGHBORHOOD ELECTRIC VEHICLE MAY ENTER AN  
19 INTERSECTION AND CROSS ANY HIGHWAY OR ROADWAY UNDER THE  
20 JURISDICTION OF A LOCAL AUTHORITY WHERE THE POSTED SPEED  
21 LIMIT IS 35 MILES PER HOUR OR LESS, PROVIDED THAT IF THE  
22 HIGHWAY OR ROADWAY IS MORE THAN TWO LANES OR IS DIVIDED, SUCH  
23 CROSSING SHALL ONLY OCCUR AT SIGNALIZED INTERSECTIONS OR AT  
24 SUCH NONSIGNALIZED INTERSECTIONS AS THE LOCAL AUTHORITY BY  
25 ORDINANCE OR RESOLUTION, AS APPROPRIATE, DETERMINES ARE  
26 APPROPRIATE FOR SUCH CROSSING.

27 (2) A NEIGHBORHOOD ELECTRIC VEHICLE MAY ENTER AN  
28 INTERSECTION AND CROSS ANY HIGHWAY OR ROADWAY UNDER THE  
29 JURISDICTION OF A LOCAL AUTHORITY WHERE THE POSTED SPEED  
30 LIMIT IS 35 MILES PER HOUR ONLY AT A SIGNALIZED INTERSECTION

OR AT SUCH NONSIGNALIZED INTERSECTION AS THE LOCAL AUTHORITY  
BY ORDINANCE OR RESOLUTION, AS APPROPRIATE, DETERMINES TO BE  
APPROPRIATE FOR SUCH CROSSING.

(E) VIOLATION.--ANY PERSON OPERATING A NEIGHBORHOOD ELECTRIC  
VEHICLE UPON A HIGHWAY OR ROADWAY OR CROSSING A HIGHWAY OR  
ROADWAY IN VIOLATION OF THIS SECTION SHALL BE SUBJECT TO THE  
PENALTIES UNDER SECTION 6502 (RELATING TO SUMMARY OFFENSES).

§ 3594. LICENSING, FINANCIAL RESPONSIBILITY, TITLING AND  
REGISTRATION.

(A) GENERAL RULE.--A NEIGHBORHOOD ELECTRIC VEHICLE SHALL BE  
CONSIDERED A PASSENGER CAR FOR THE PURPOSES OF PART II (RELATING  
TO TITLE, REGISTRATION AND LICENSING) AND SECTION 4581 (RELATING  
TO RESTRAINT SYSTEMS).

(B) LICENSE AND FINANCIAL RESPONSIBILITY.--AN OPERATOR OF A  
NEIGHBORHOOD ELECTRIC VEHICLE MUST HAVE A VALID DRIVER'S LICENSE  
AND MAINTAIN FINANCIAL RESPONSIBILITY AS REQUIRED BY CHS. 15  
(RELATING TO LICENSING OF DRIVERS) AND 17 (RELATING TO FINANCIAL  
RESPONSIBILITY).

(C) CERTIFICATE OF TITLE AND REGISTRATION.--A NEIGHBORHOOD  
ELECTRIC VEHICLE SHALL BE PROPERLY TITLED AND REGISTERED WITH  
THE DEPARTMENT AS REQUIRED BY CHS. 11 (RELATING CERTIFICATE OF  
TITLE AND SECURITY INTERESTS) AND 13 (RELATING TO REGISTRATION  
OF VEHICLES).

(D) POSSESSION OF INFORMATION.--THE DRIVER'S LICENSE, THE  
REGISTRATION CERTIFICATE OF A MOTOR VEHICLE AND AN INSURANCE  
IDENTIFICATION CARD SHALL BE IN THE POSSESSION OF THE DRIVER OR  
OPERATOR AT ALL TIMES WHEN THE DRIVER OR OPERATOR IS IN CHARGE  
OF A NEIGHBORHOOD ELECTRIC VEHICLE ON THE HIGHWAYS OR ROADWAYS  
OF THIS COMMONWEALTH.

§ 3595. SEATING LIMITATION.

1 A NEIGHBORHOOD ELECTRIC VEHICLE MAY NOT BE OPERATED AT A TIME  
2 IN WHICH THE NUMBER OF PASSENGERS EXCEEDS THE NUMBER OF  
3 AVAILABLE SAFETY BELTS IN THE VEHICLE.

4 § 3596. WAIVER OF LIABILITY.

5 (A) GENERAL RULE.--A PURCHASER OF A NEW NEIGHBORHOOD  
6 ELECTRIC VEHICLE IN THIS COMMONWEALTH SHALL EXECUTE A WAIVER AND  
7 CERTIFY THAT THE NEIGHBORHOOD ELECTRIC VEHICLE WAS PURCHASED  
8 WITH FULL KNOWLEDGE OF THE POTENTIALLY HAZARDOUS CHARACTERISTICS  
9 OF SUCH VEHICLES AS DETAILED BY THE MANUFACTURER OR THE  
10 MANUFACTURER'S AGENT OR DEALER.

11 (B) MANUFACTURER RESPONSIBILITY.--THE WAIVER SHALL BE  
12 PREPARED BY THE MANUFACTURER AND KEPT IN THE POSSESSION OF THE  
13 MANUFACTURER AND THE MANUFACTURER'S AGENT OR DEALER OF  
14 NEIGHBORHOOD ELECTRIC VEHICLES. AN EXECUTED COPY SHALL BE  
15 PROVIDED TO THE PURCHASER.

16 (C) SIGNING BY PURCHASER.--THE SIGNING OF THE WAIVER BY THE  
17 PURCHASER SHALL SERVE TO ELIMINATE ANY LIABILITY OF THE  
18 MANUFACTURER AND THE MANUFACTURER'S AGENT OR DEALER OF  
19 NEIGHBORHOOD ELECTRIC VEHICLES.

20 Section 3. Section 4703(b) of Title 75 is amended by adding  
21 a paragraph to read:

22 § 4703. Operation of vehicle without official certificate of  
23 inspection.

24 \* \* \*

25 (b) Exceptions.--Subsection (a) does not apply to:

26 \* \* \*

27 (14) A neighborhood electric vehicle.

28 Section 4. This act shall take effect in 180 days.