

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 32

Special Session No. 1 of
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INTRODUCED BY GREENLEAF, STACK, WONDERLING, FONTANA, FERLO,
TARTAGLIONE, C. WILLIAMS, O'PAKE, STOUT, RAFFERTY,
WASHINGTON, WAUGH, MUSTO, FUMO AND TOMLINSON,
NOVEMBER 2, 2007

REFERRED TO ENERGY POLICIES, NOVEMBER 2, 2007

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. Purpose.

13 3593. Required equipment.

14 3594. Operation on certain highways or roadways.

15 3595. Licensing, financial responsibility, titling and
16 registration.

17 3596. Seating limitation.

18 3597. 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. Purpose.

24 The General Assembly declares the purposes of this subchapter
25 are as follows:

26 (1) To reduce this Commonwealth's dependence on foreign
27 oil and to conserve energy through greater use of motor
28 vehicles powered solely by electricity.

29 (2) To improve environmental quality in this
30 Commonwealth by decreasing the discharge of pollutants from

1 motor vehicles.

2 § 3593. Required equipment.

3 (a) General rule.--A neighborhood electric vehicle operated
4 upon any highway or roadway in this Commonwealth shall be
5 maintained in proper condition and comply with the equipment
6 requirements and standards as set forth in 49 CFR § 571.500
7 (relating to Standard No. 500; Low-speed vehicles). A
8 neighborhood electric vehicle operated upon any highway or
9 roadway in this Commonwealth shall be equipped with the
10 following additional equipment:

11 (1) Brakes adequate to control the movement of and to
12 stop such vehicle.

13 (2) An odometer.

14 (3) A speedometer.

15 (4) The original manufacturer's vehicle identification
16 number die stamped upon the body or frame, or both, of the
17 vehicle or the original manufacturer's vehicle identification
18 number die stamped upon the engine or motor of the vehicle.

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

22 (c) Slow moving vehicle emblem.--A neighborhood electric
23 vehicle shall have a slow moving vehicle emblem affixed in a
24 conspicuous place on the rear of the vehicle consistent with the
25 provisions of section 4529 (relating to slow moving vehicle
26 emblem).

27 (d) Penalties.--Any person who operates a neighborhood
28 electric vehicle without the equipment prescribed in this
29 section shall be subject to the penalties under section 6502
30 (relating to summary offenses).

1 § 3594. Operation on certain highways or roadways.

2 (a) Operation on State highways.--

3 (1) Except as otherwise provided under paragraphs (2)
4 and (3), a neighborhood electric vehicle may not be operated
5 upon any highway or roadway under the jurisdiction of the
6 department with a posted speed in excess of 25 miles per
7 hour.

8 (2) The secretary may, by order, permit the use of a
9 neighborhood electric vehicle upon any highway or roadway
10 under the jurisdiction of the department where the posted
11 speed limit is greater than 25 miles per hour but not greater
12 than 35 miles per hour.

13 (3) The secretary may, by order, prohibit the use of a
14 neighborhood electric vehicle on any street under the
15 jurisdiction of the department where the secretary determines
16 that the operation of a neighborhood electric vehicle would
17 constitute a hazard.

18 (4) Any order issued by the secretary under paragraph
19 (2) or (3) shall be published in the Pennsylvania Bulletin.

20 (b) Operation on local roadways.--

21 (1) Except as otherwise provided under paragraph (2) or
22 (3), a neighborhood electric vehicle may not be operated upon
23 any highway or roadway under the jurisdiction of a local
24 authority with a posted speed limit in excess of 25 miles per
25 hour.

26 (2) Local authorities may, by ordinance or resolution,
27 as appropriate, in the case of any roadway under their
28 jurisdiction, permit the use of a neighborhood electric
29 vehicle where the posted speed limit is greater than 25 miles
30 per hour but not greater than 35 miles per hour.

1 (3) A local authority may, by ordinance or resolution,
2 as appropriate, prohibit the use of a neighborhood electric
3 vehicle on any roadway where the local authority determines
4 that the operation of a neighborhood electric vehicle would
5 constitute a hazard.

6 (c) Intersection with State highways.--

7 (1) A neighborhood electric vehicle may enter an
8 intersection and cross any highway or roadway under the
9 jurisdiction of the department where the posted speed limit
10 is 35 miles per hour or less, provided that if the highway or
11 roadway is more than two lanes or is divided, such crossing
12 shall only occur at a signalized intersection or at a
13 nonsignalized intersection as the secretary determines is
14 appropriate for such crossings either on the secretary's own
15 motion or at the request of a local authority.

16 (2) A neighborhood electric vehicle may enter an
17 intersection and cross any highway or roadway under the
18 jurisdiction of the department where the posted speed limit
19 is in excess of 35 miles per hour only at a signalized
20 intersection or at such nonsignalized intersection as the
21 secretary determines is appropriate for such crossing either
22 upon the secretary's own motion or at the request of a local
23 authority.

24 (d) Intersection with local roadways.--

25 (1) A neighborhood electric vehicle may enter an
26 intersection and cross any highway or roadway under the
27 jurisdiction of a local authority where the posted speed
28 limit is 35 miles per hour or less, provided that if the
29 highway or roadway is more than two lanes or is divided, such
30 crossing shall only occur at signalized intersections or at

1 such nonsignalized intersections as the local authority by
2 ordinance or resolution, as appropriate, determines are
3 appropriate for such crossing.

4 (2) A neighborhood electric vehicle may enter an
5 intersection and cross any highway or roadway under the
6 jurisdiction of a local authority where the posted speed
7 limit is 35 miles per hour only at a signalized intersection
8 or at such nonsignalized intersection as the local authority
9 by ordinance or resolution, as appropriate, determines to be
10 appropriate for such crossing.

11 (e) Violation.--Any person operating a neighborhood electric
12 vehicle upon a highway or roadway or crossing a highway or
13 roadway in violation of this section shall be subject to the
14 penalties under section 6502 (relating to summary offenses).
15 § 3595. Licensing, financial responsibility, titling and
16 registration.

17 (a) General rule.--A neighborhood electric vehicle shall be
18 considered a passenger car for the purposes of Part II (relating
19 to title, registration and licensing) and section 4581 (relating
20 to restraint systems).

21 (b) License and financial responsibility.--An operator of a
22 neighborhood electric vehicle must have a valid driver's license
23 and maintain financial responsibility as required by Chs. 15
24 (relating to licensing of drivers) and 17 (relating to financial
25 responsibility).

26 (c) Certificate of title and registration.--A neighborhood
27 electric vehicle shall be properly titled and registered with
28 the department as required by Chs. 11 (relating to certificate
29 of title and security interests) and 13 (relating to
30 registration of vehicles).

1 (d) Possession of information.--The driver's license, the
2 registration certificate of a motor vehicle and an insurance
3 identification card shall be in the possession of the driver or
4 operator at all times when the driver or operator is in charge
5 of a neighborhood electric vehicle on the highways or roadways
6 of this Commonwealth.

7 § 3596. Seating limitation.

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

11 § 3597. Waiver of liability.

12 (a) General rule.--A purchaser of a new neighborhood
13 electric vehicle in this Commonwealth shall execute a waiver and
14 certify that the neighborhood electric vehicle was purchased
15 with full knowledge of the potentially hazardous characteristics
16 of such vehicles as detailed by the manufacturer or the
17 manufacturer's agent or dealer.

18 (b) Manufacturer responsibility.--The waiver shall be
19 prepared by the manufacturer and kept in the possession of the
20 manufacturer and the manufacturer's agent or dealer of
21 neighborhood electric vehicles. An executed copy shall be
22 provided to the purchaser.

23 (c) Signing by purchaser.--The signing of the waiver by the
24 purchaser shall serve to eliminate any liability of the
25 manufacturer and the manufacturer's agent or dealer of
26 neighborhood electric vehicles.

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

29 § 4703. Operation of vehicle without official certificate of
30 inspection.

1 * * *

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

3 * * *

4 (14) A neighborhood electric vehicle.

5 * * *

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