

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 52 Session of
2011INTRODUCED BY GREENLEAF, TARTAGLIONE, TOMLINSON, PIPPY AND
BOSCOLA, JANUARY 12, 2011SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JANUARY
17, 2012

AN ACT

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

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 102 of Title 75 of the Pennsylvania
11 Consolidated Statutes is amended by adding a definition to read:
12 § 102. Definitions.

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

18 * * *

19 "Neighborhood electric vehicle." A four-wheeled electric
20 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. ~~Licensing, financial responsibility, titling and~~

15 ~~registration~~ SAME TREATMENT AS PASSENGER CARS.

16 3595. Seating limitation.

17 3596. Waiver of liability.

18 § 3591. Scope of subchapter.

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

22 § 3592. Required equipment.

23 (a) General rule.--A neighborhood electric vehicle operated
24 upon any highway or roadway in this Commonwealth shall be
25 maintained in proper condition and comply with the equipment
26 requirements and standards as set forth in 49 CFR § 571.500
27 (relating to Standard No. 500; Low-speed vehicles). A
28 neighborhood electric vehicle operated upon any highway or
29 roadway in this Commonwealth shall be equipped with the
30 following additional equipment:

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

3 (2) An odometer.

4 (3) A speedometer.

5 (4) The original manufacturer's vehicle identification
6 number die stamped upon the body or frame, or both, of the
7 vehicle or the original manufacturer's vehicle identification
8 number die stamped upon the engine or motor of the vehicle.

9 (5) A WINDSHIELD WIPER. ←

10 (6) A HORN.

11 (7) A BATTERY CHARGE INDICATOR.

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).~~ 25 MPH VEHICLE DECAL.--A NEIGHBORHOOD ELECTRIC VEHICLE ←
20 SHALL HAVE A SAFETY INFORMATION DECAL AS PROVIDED BY THE
21 MANUFACTURER AFFIXED IN A CONSPICUOUS PLACE ON THE REAR OF THE
22 VEHICLE WHICH SHALL DISPLAY IN PROMINENT LETTERING "25 MPH
23 VEHICLE." THE DECAL SHALL BE AT LEAST 4 INCHES IN HEIGHT BY 10
24 INCHES IN LENGTH.

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

29 § 3593. Operation on certain highways or roadways.

30 (a) Operation on State highways.--

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

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

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

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

18 (b) Operation on local roadways.--

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

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

29 (3) A local authority may, by ordinance or resolution,
30 as appropriate, prohibit the use of a neighborhood electric

1 vehicle on any roadway where the local authority determines
2 that the operation of a neighborhood electric vehicle would
3 constitute a hazard.

4 (c) Intersection with State highways.--

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

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

22 (d) Intersection with local roadways.--

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

~~appropriate for such crossing.~~

~~(2) A neighborhood electric vehicle may enter an intersection and cross any highway or roadway under the jurisdiction of a local authority where the posted speed limit is IN EXCESS OF 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 SAME TREATMENT AS PASSENGER CARS.~~

~~(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 to 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.

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.

§ 3596. Waiver of liability.

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

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

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

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

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

* * *

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

1 * * *

2 (14) A neighborhood electric vehicle.

3 * * *

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