

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 849 Session of 2011

INTRODUCED BY FLECK, BARRAR, BOBACK, BOYD, CALTAGIRONE, COHEN, DENLINGER, EVERETT, GEIST, GILLEN, GINGRICH, GRELL, HARHAI, HARRIS, HENNESSEY, JOSEPHS, KAUFFMAN, M. K. KELLER, LONGIETTI, MILLER, MILNE, MOUL, D. O'BRIEN, ROSS, SCAVELLO, SONNEY, STURLA, THOMAS, WATSON, YOUNGBLOOD, SCHRODER, GILLESPIE AND MURT, FEBRUARY 28, 2011

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 3, 2011

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for definitions; and providing
3 for regulation and operation of neighborhood electric
4 vehicles; AND FURTHER PROVIDING FOR OPERATION OF VEHICLE
5 WITHOUT OFFICIAL CERTIFICATE OF INSPECTION.



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

8 Section 1. The definition of "motor vehicle" in section 102-
9 of Title 75 of the Pennsylvania Consolidated Statutes is amended-
10 and the section is amended by adding a definition to read:



11 SECTION 1. SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA
12 CONSOLIDATED STATUTES IS AMENDED BY ADDING A DEFINITION TO READ:



13 § 102. Definitions.

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

1 indicates otherwise, the meanings given to them in this section:

2 \* \* \*

3 ~~"Motor vehicle." A vehicle which is self propelled except an~~ ←  
4 ~~electric personal assistive mobility device, a neighborhood~~  
5 ~~electric vehicle or a vehicle which is propelled solely by human~~  
6 ~~power.~~

7 \* \* \*

8 "Neighborhood electric vehicle." A four-wheeled electric  
9 vehicle that has a maximum design speed of not less than 20  
10 miles per hour and of not more than 25 miles per hour and that  
11 complies with the Federal safety standards established in 49 CFR  
12 571.500 (relating to standard no. 500; low-speed vehicles).

13 \* \* \*

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

16 SUBCHAPTER F

17 OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES

18 Sec.

19 3591. Scope of subchapter.

20 3592. Required equipment.

21 3593. Operation on certain highways or roadways.

22 ~~3594. Certificate of title and registration required.~~ ←

23 ~~3595. License and financial responsibility required.~~

24 3594. LICENSING, FINANCIAL RESPONSIBILITY, TITLING AND ←

25 REGISTRATION.

26 3594.1. APPLICABILITY OF TRAFFIC LAWS TO NEIGHBORHOOD ELECTRIC  
27 VEHICLES.

28 3595. SEATING LIMITATION.

29 3596. Exemption.

30 § 3591. Scope of subchapter.

1 This subchapter applies to the operation of neighborhood  
2 electric vehicles on certain highways or roadways in this  
3 Commonwealth.

4 § 3592. Required equipment.

5 A neighborhood electric vehicle shall be equipped in ←  
6 accordance with 49 CFR 571.500 (relating to standard no. 500;  
7 low speed vehicles). This equipment shall include the following:

8 (1) Headlamps.

9 (2) Stop lamps.

10 (3) Turn signal lamps.

11 (4) Reflex reflectors.

12 (5) Parking brake.

13 (6) Rearview exterior mirror.

14 (7) Rearview interior mirror.

15 (8) Windshield.

16 (9) Windshield wiper.

17 (10) Speedometer.

18 (11) Odometer.

19 (12) Braking for each wheel.

20 (13) Seat belts.

21 (14) Vehicle identification number.

22 (15) Other equipment as required by Federal regulations.

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 OPERATING ON ANY HIGHWAY OR  
29 ROADWAY WHERE THE POSTED SPEED LIMIT IS 35 MILES PER HOUR OR  
30 LESS SHALL HAVE A SLOW MOVING VEHICLE EMBLEM AFFIXED IN A

1 CONSPICUOUS PLACE ON THE REAR OF THE VEHICLE CONSISTENT WITH  
2 SECTION 4529 (RELATING TO SLOW MOVING VEHICLE EMBLEM). A  
3 NEIGHBORHOOD ELECTRIC VEHICLE OPERATED UPON ANY HIGHWAY OR  
4 ROADWAY IN THIS COMMONWEALTH SHALL BE EQUIPPED WITH THE  
5 FOLLOWING ADDITIONAL EQUIPMENT:

6 (1) BRAKES ADEQUATE TO CONTROL THE MOVEMENT OF AND TO  
7 STOP SUCH VEHICLE.

8 (2) AN ODOMETER.

9 (3) A SPEEDOMETER.

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

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

17 (C) PENALTIES.--ANY PERSON WHO OPERATES A NEIGHBORHOOD  
18 ELECTRIC VEHICLE WITHOUT THE EQUIPMENT PRESCRIBED IN THIS  
19 SECTION SHALL BE SUBJECT TO THE PENALTIES UNDER SECTION 6502  
20 (RELATING TO SUMMARY OFFENSES).

21 § 3593. Operation on certain highways or roadways.

22 A neighborhood electric vehicle may be operated on any  
23 highway or roadway where the posted speed limit is 35 miles per  
24 hour or less. This section does not prohibit a person from  
25 operating a neighborhood electric vehicle across an intersection  
26 where the highway or roadway has a posted speed limit of more  
27 than 35 miles per hour.

28 ~~§ 3594. Certificate of title and registration required.~~

29 ~~A neighborhood electric vehicle shall be properly titled and~~  
30 ~~registered with the department as required by Chapters 11-~~



1 ~~(relating to certificate of title and security interests) and 13~~  
2 ~~(relating to registration of vehicles).~~

3 ~~§ 3595. License and financial responsibility required.~~

4 ~~An operator of a neighborhood electric vehicle must have a~~  
5 ~~valid driver's license and maintain financial responsibility as~~  
6 ~~required by Chapters 15 (relating to licensing of drivers) and~~  
7 ~~17 (relating to financial responsibility).~~

8 § 3594. LICENSING, FINANCIAL RESPONSIBILITY, TITLING AND  
9 REGISTRATION.



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

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

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

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

30 § 3594.1. APPLICABILITY OF TRAFFIC LAWS TO NEIGHBORHOOD

1           ELECTRIC VEHICLES.

2           EVERY PERSON OPERATING A NEIGHBORHOOD ELECTRIC VEHICLE SHALL  
3 BE GRANTED ALL OF THE RIGHTS AND SHALL BE SUBJECT TO ALL OF THE  
4 DUTIES APPLICABLE TO THE DRIVER OF ANY OTHER VEHICLE UNDER THIS  
5 TITLE, EXCEPT AS TO SPECIAL PROVISIONS UNDER THIS SUBCHAPTER AND  
6 EXCEPT AS TO THOSE PROVISIONS OF THIS TITLE WHICH BY THEIR  
7 NATURE CAN HAVE NO APPLICATION.

8   § 3595. SEATING LIMITATION.

9           A NEIGHBORHOOD ELECTRIC VEHICLE MAY NOT BE OPERATED AT A TIME  
10 IN WHICH THE NUMBER OF PASSENGERS EXCEEDS THE NUMBER OF  
11 AVAILABLE SAFETY BELTS IN THE VEHICLE.

12   § 3596. Exemption.

13           A neighborhood electric vehicle shall be exempt from any  
14 emissions testing required under this title or other law.

15           SECTION 3. SECTION 4703(B) OF TITLE 75 IS AMENDED BY ADDING   ←  
16 A PARAGRAPH TO READ:

17   § 4703. OPERATION OF VEHICLE WITHOUT OFFICIAL CERTIFICATE OF  
18                           INSPECTION.

19           \* \* \*

20           (B) EXCEPTIONS.--SUBSECTION (A) DOES NOT APPLY TO:

21           \* \* \*

22           (14) A NEIGHBORHOOD ELECTRIC VEHICLE.

23           Section ~~3~~ 4. This act shall take effect in ~~60~~ 120 days.   ←