

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 AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 14, 2011

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 SLOW MOVING VEHICLE EMBLEM AND for
5 operation of vehicle without official certificate of
6 inspection.



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

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

11 § 102. Definitions.

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

17 * * *

1 "Neighborhood electric vehicle." A four-wheeled electric
2 vehicle that has a maximum design speed of not less than 20
3 miles per hour and of not more than 25 miles per hour and that
4 complies with the Federal safety standards established in 49 CFR
5 571.500 (relating to standard no. 500; low-speed vehicles).

6 * * *

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

9 SUBCHAPTER F

10 OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES

11 Sec.

12 3591. Scope of subchapter.

13 3592. Required equipment.

14 3593. Operation on certain highways or roadways.

15 3594. Licensing, financial responsibility, titling and
16 registration.

17 ~~3594.1. Applicability of traffic laws to neighborhood electric~~ ←
18 ~~vehicles.~~

19 3595. Seating limitation.

20 ~~3596. Exemption~~ HOURS OF OPERATION. ←

21 § 3591. Scope of subchapter.

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

25 § 3592. Required equipment.

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

1 neighborhood electric vehicle operating on any highway or
2 roadway where the posted speed limit is 35 miles per hour or ←
3 less shall have a slow moving vehicle emblem affixed in a
4 conspicuous place on the rear of the vehicle consistent with
5 section 4529 (relating to slow moving vehicle emblem). A
6 neighborhood electric vehicle operated upon any highway or
7 roadway in this Commonwealth shall be equipped with the
8 following additional equipment:

9 (1) Brakes adequate to control the movement of and to ←
10 stop such vehicle.

11 (2) An odometer.

12 (3) A speedometer.

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

17 (5) PNEUMATIC TIRES. ←

18 (6) WINDSHIELD WIPERS.

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

22 (c) Penalties.--Any person who operates a neighborhood
23 electric vehicle without the equipment prescribed in this
24 section shall be subject to the penalties under section 6502
25 (relating to summary offenses).

26 § 3593. Operation on certain highways or roadways.

27 A neighborhood electric vehicle may be operated on any ←
28 highway or roadway where the posted speed limit is 35 miles per
29 hour or less. This section does not prohibit a person from
30 operating a neighborhood electric vehicle across an intersection

1 ~~where the highway or roadway has a posted speed limit of more~~
2 ~~than 35 miles per hour.~~

3 (A) GENERAL RULE.--NOTWITHSTANDING ANY OTHER PROVISION OF ←
4 CHAPTER 33 (RELATING TO RULES OF THE ROAD IN GENERAL), A
5 NEIGHBORHOOD ELECTRIC VEHICLE MAY BE OPERATED ONLY ON A HIGHWAY
6 OR ROADWAY WITH A SPEED LIMIT OF 25 MILES PER HOUR OR LESS. A
7 NEIGHBORHOOD ELECTRIC VEHICLE MAY NOT ENTER AN INTERSECTION WITH
8 A HIGHWAY OR ROADWAY WITH A POSTED SPEED LIMIT OF MORE THAN 25
9 MILES PER HOUR, OR CROSS A HIGHWAY OR ROADWAY WITH A POSTED
10 SPEED LIMIT OF MORE THAN 25 MILES PER HOUR, UNLESS TRAFFIC ON
11 THAT HIGHWAY OR ROADWAY IS STOPPED BY A TRAFFIC-CONTROL SIGNAL
12 AT THE POINT THE HIGHWAY IS CROSSED. A NEIGHBORHOOD ELECTRIC
13 VEHICLE MAY NOT CROSS A DIVIDED HIGHWAY OR LIMITED ACCESS
14 HIGHWAY.

15 (B) VIOLATION.--ANY PERSON OPERATING A NEIGHBORHOOD ELECTRIC
16 VEHICLE UPON A HIGHWAY OR ROADWAY OR CROSSING A HIGHWAY OR
17 ROADWAY IN VIOLATION OF THIS SECTION SHALL BE SUBJECT TO THE
18 PENALTIES UNDER SECTION 6502 (RELATING TO SUMMARY OFFENSES).
19 § 3594. Licensing, financial responsibility, titling and
20 registration.

21 ~~(a) General rule.--A neighborhood electric vehicle shall be~~ ←
22 ~~considered a passenger car for the purposes of Part II (relating~~
23 ~~to title, registration and licensing) and section 4581 (relating~~
24 ~~to restraint systems).~~

25 ~~(b) License and financial responsibility.--An operator of a~~ ←
26 ~~neighborhood electric vehicle must have a valid driver's license~~
27 ~~and maintain financial responsibility as required by Chs. 15~~
28 ~~(relating to licensing of drivers) and 17 (relating to financial~~
29 ~~responsibility).~~

30 ~~(c) Certificate of title and registration.--A neighborhood~~

1 ~~electric vehicle shall be properly titled and registered with~~
2 ~~the department as required by Chs. 11 (relating certificate of~~
3 ~~title and security interests) and 13 (relating to registration~~
4 ~~of vehicles).~~

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

11 ~~§ 3594.1. Applicability of traffic laws to neighborhood~~
12 ~~electric vehicles.~~

13 ~~Every person operating a neighborhood electric vehicle shall~~
14 ~~be granted all of the rights and shall be subject to all of the~~
15 ~~duties applicable to the driver of any other vehicle under this~~
16 ~~title, except as to special provisions under this subchapter and~~
17 ~~except as to those provisions of this title which by their~~
18 ~~nature can have no application.~~

19 ~~§ 3595. Seating limitation.~~

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

23 ~~§ 3596. Exemption.~~ ←

24 ~~A neighborhood electric vehicle shall be exempt from any~~
25 ~~emissions testing required under this title or other law.~~

26 ~~§ 3596. HOURS OF OPERATION.~~ ←

27 ~~A NEIGHBORHOOD ELECTRIC VEHICLE SHALL NOT BE OPERATED FROM~~
28 ~~SUNSET TO SUNRISE OR DURING PERIODS OF DECREASED VISIBILITY.~~

29 SECTION 3. SECTION 4529(A) OF TITLE 75 IS AMENDED TO READ:

30 § 4529. SLOW MOVING VEHICLE EMBLEM.

1 (A) GENERAL RULE.--ALL IMPLEMENTS OF HUSBANDRY, COMMERCIAL
2 IMPLEMENTS OF HUSBANDRY, NEIGHBORHOOD ELECTRIC VEHICLES AND
3 SPECIAL MOBILE EQUIPMENT DESIGNED TO OPERATE AT 25 MILES PER
4 HOUR OR LESS AND ALL ANIMAL-DRAWN VEHICLES SHALL, WHEN TRAVELING
5 ON A HIGHWAY, DISPLAY ON THE REAR OF THE VEHICLE A REFLECTIVE
6 SLOW MOVING VEHICLE EMBLEM AS SPECIFIED IN REGULATIONS OF THE
7 DEPARTMENT. THE USE OF THE SLOW MOVING VEHICLE EMBLEM SHALL BE
8 IN ADDITION TO ANY OTHER LIGHTING DEVICES OR EQUIPMENT REQUIRED
9 BY THIS TITLE.

10 * * *

11 Section ~~3~~ 4. Section 4703(b) of Title 75 is amended by ←
12 adding a paragraph to read:

13 § 4703. Operation of vehicle without official certificate of
14 inspection.

15 * * *

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

17 * * *

18 (14) A neighborhood electric vehicle.

19 Section ~~4~~ 5. This act shall take effect in ~~120~~ 180 days. ←