

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 52 Session of 2011

INTRODUCED BY GREENLEAF, TARTAGLIONE, TOMLINSON, PIPPY AND
BOSCOLA, JANUARY 12, 2011

REFERRED TO TRANSPORTATION, JANUARY 12, 2011

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.

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

12 (c) Slow moving vehicle emblem.--A neighborhood electric
13 vehicle shall have a slow moving vehicle emblem affixed in a
14 conspicuous place on the rear of the vehicle consistent with the
15 provisions of section 4529 (relating to slow moving vehicle
16 emblem).

17 (d) 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) Operation on State highways.--

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

28 (2) The secretary may, by order, permit the use of a
29 neighborhood electric vehicle upon any highway or roadway
30 under the jurisdiction of the department where the posted

1 speed limit is greater than 25 miles per hour but not greater
2 than 35 miles per hour.

3 (3) The secretary may, by order, prohibit the use of a
4 neighborhood electric vehicle on any street under the
5 jurisdiction of the department where the secretary determines
6 that the operation of a neighborhood electric vehicle would
7 constitute a hazard.

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

10 (b) Operation on local roadways.--

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

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

21 (3) A local authority may, by ordinance or resolution,
22 as appropriate, prohibit the use of a neighborhood electric
23 vehicle on any roadway where the local authority determines
24 that the operation of a neighborhood electric vehicle would
25 constitute a hazard.

26 (c) Intersection with State highways.--

27 (1) A neighborhood electric vehicle may enter an
28 intersection and cross any highway or roadway under the
29 jurisdiction of the department where the posted speed limit
30 is 35 miles per hour or less, provided that, if the highway

1 or roadway is more than two lanes or is divided, such
2 crossing shall only occur at a signalized intersection or at
3 a nonsignalized intersection as the secretary determines is
4 appropriate for such crossings either on the secretary's own
5 motion or at the request of a local authority.

6 (2) A neighborhood electric vehicle may enter an
7 intersection and cross any highway or roadway under the
8 jurisdiction of the department where the posted speed limit
9 is in excess of 35 miles per hour only at a signalized
10 intersection or at such nonsignalized intersection as the
11 secretary determines is appropriate for such crossing either
12 upon the secretary's own motion or at the request of a local
13 authority.

14 (d) Intersection with local roadways.--

15 (1) A neighborhood electric vehicle may enter an
16 intersection and cross any highway or roadway under the
17 jurisdiction of a local authority where the posted speed
18 limit is 35 miles per hour or less, provided that, if the
19 highway or roadway is more than two lanes or is divided, such
20 crossing shall only occur at signalized intersections or at
21 such nonsignalized intersections as the local authority by
22 ordinance or resolution, as appropriate, determines are
23 appropriate for such crossing.

24 (2) A neighborhood electric vehicle may enter an
25 intersection and cross any highway or roadway under the
26 jurisdiction of a local authority where the posted speed
27 limit is 35 miles per hour only at a signalized intersection
28 or at such nonsignalized intersection as the local authority
29 by ordinance or resolution, as appropriate, determines to be
30 appropriate for such crossing.

1 (e) Violation.--Any person operating a neighborhood electric
2 vehicle upon a highway or roadway or crossing a highway or
3 roadway in violation of this section shall be subject to the
4 penalties under section 6502 (relating to summary offenses).
5 § 3594. Licensing, financial responsibility, titling and
6 registration.

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

11 (b) License and financial responsibility.--An operator of a
12 neighborhood electric vehicle must have a valid driver's license
13 and maintain financial responsibility as required by Chs. 15
14 (relating to licensing of drivers) and 17 (relating to financial
15 responsibility).

16 (c) Certificate of title and registration.--A neighborhood
17 electric vehicle shall be properly titled and registered with
18 the department as required by Chs. 11 (relating to certificate
19 of title and security interests) and 13 (relating to
20 registration of vehicles).

21 (d) Possession of information.--The driver's license, the
22 registration certificate of a motor vehicle and an insurance
23 identification card shall be in the possession of the driver or
24 operator at all times when the driver or operator is in charge
25 of a neighborhood electric vehicle on the highways or roadways
26 of this Commonwealth.

27 § 3595. Seating limitation.

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

1 § 3596. Waiver of liability.

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

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

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

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

19 § 4703. Operation of vehicle without official certificate of
20 inspection.

21 * * *

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

23 * * *

24 (14) A neighborhood electric vehicle.

25 * * *

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