

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 573 Session of 2013

INTRODUCED BY FLECK, BROOKS, COHEN, D. COSTA, DENLINGER, EVANKOVICH, EVERETT, GILLEN, GRELL, HARHAI, C. HARRIS, HENNESSEY, KAUFFMAN, M. K. KELLER, KORTZ, R. MILLER, MURT, O'BRIEN, READSHAW, SCHLOSSBERG, STURLA AND YOUNGBLOOD, FEBRUARY 8, 2013

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 29, 2014

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.~~

5 AMENDING TITLE 75 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED <--
6 STATUTES, IN PRELIMINARY PROVISIONS, FURTHER PROVIDING FOR
7 FOR DEFINITIONS; IN SPECIAL VEHICLES AND PEDESTRIANS,
8 PROVIDING FOR OPERATION OF PEDALCYCLES WITH ELECTRIC ASSIST
9 AND FOR REGULATION AND OPERATION OF NEIGHBORHOOD ELECTRIC
10 VEHICLES; IN OTHER REQUIRED EQUIPMENT, FURTHER PROVIDING FOR
11 SLOW MOVING VEHICLE EMBLEM; AND, IN INSPECTION OF VEHICLES,
12 FURTHER PROVIDING FOR OPERATION OF VEHICLE WITHOUT OFFICIAL
13 CERTIFICATE OF INSPECTION.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 ~~Section 1. The definition of "motor vehicle" in section 102~~ <--
17 ~~of Title 75 of the Pennsylvania Consolidated Statutes is amended~~
18 ~~and the section is amended by adding a definition to read:~~
19 ~~§ 102. Definitions.~~

20 ~~Subject to additional definitions contained in subsequent~~
21 ~~provisions of this title which are applicable to specific~~

1 ~~provisions of this title, the following words and phrases when~~
2 ~~used in this title shall have, unless the context clearly~~
3 ~~indicates otherwise, the meanings given to them in this section:~~

4 * * *

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

9 * * *

10 ~~"Neighborhood electric vehicle." A four wheeled electric~~
11 ~~vehicle that has a maximum design speed of not less than 20~~
12 ~~miles per hour and of not more than 25 miles per hour and that~~
13 ~~complies with the Federal safety standards established in 49 CFR~~
14 ~~571.500 (relating to standard no. 500; low speed vehicles).~~

15 * * *

16 ~~Section 2. Chapter 35 of Title 75 is amended by adding a~~
17 ~~subchapter to read:~~

18 SUBCHAPTER F

19 OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES

20 Sec.

21 3591. Scope of subchapter.

22 3592. Required equipment.

23 3593. Operation on certain highways or roadways.

24 3594. Certificate of title and registration required.

25 3595. License and financial responsibility required.

26 3596. Exemption.

27 § 3591. Scope of subchapter.

28 This subchapter applies to the operation of neighborhood
29 electric vehicles on certain highways or roadways in this
30 Commonwealth.

1 ~~§ 3592. Required equipment.~~

2 ~~A neighborhood electric vehicle shall be equipped in~~
3 ~~accordance with 49 CFR 571.500 (relating to standard no. 500;~~
4 ~~low speed vehicles). This equipment shall include the following:~~

5 ~~(1) Headlamps.~~

6 ~~(2) Stop lamps.~~

7 ~~(3) Turn signal lamps.~~

8 ~~(4) Reflex reflectors.~~

9 ~~(5) Parking brake.~~

10 ~~(6) Rearview exterior mirror.~~

11 ~~(7) Rearview interior mirror.~~

12 ~~(8) Windshield.~~

13 ~~(9) Windshield wiper.~~

14 ~~(10) Speedometer.~~

15 ~~(11) Odometer.~~

16 ~~(12) Braking for each wheel.~~

17 ~~(13) Seat belts.~~

18 ~~(14) Vehicle identification number.~~

19 ~~(15) Other equipment as required by Federal regulations.~~

20 ~~§ 3593. Operation on certain highways or roadways.~~

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

27 ~~§ 3594. Certificate of title and registration required.~~

28 ~~A neighborhood electric vehicle shall be properly titled and~~
29 ~~registered with the department as required by Chapters 11~~
30 ~~(relating to certificate of title and security interests) and 13~~

1 ~~(relating to registration of vehicles).~~

2 ~~§ 3595. License and financial responsibility required.~~

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

7 ~~§ 3596. Exemption.~~

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

10 ~~Section 3. This act shall take effect in 60 days.~~

11 SECTION 1. THE DEFINITION OF "PEDALCYCLE" IN SECTION 102 OF <--
12 TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED
13 AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO READ:

14 § 102. DEFINITIONS.

15 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
16 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
17 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
18 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY
19 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

20 * * *

21 "NEIGHBORHOOD ELECTRIC VEHICLE." A FOUR-WHEELED ELECTRIC
22 VEHICLE THAT HAS A MAXIMUM DESIGN SPEED OF NOT LESS THAN 20
23 MILES PER HOUR AND OF NOT MORE THAN 25 MILES PER HOUR AND THAT
24 COMPLIES WITH THE FEDERAL SAFETY STANDARDS ESTABLISHED IN 49 CFR
25 571.500 (RELATING TO STANDARD NO. 500; LOW-SPEED VEHICLES).

26 * * *

27 "PEDALCYCLE." A VEHICLE PROPELLED SOLELY BY HUMAN-POWERED
28 PEDALS OR A PEDALCYCLE WITH ELECTRIC ASSIST. THE TERM DOES NOT
29 MEAN A THREE-WHEELED HUMAN-POWERED PEDAL-DRIVEN VEHICLE WITH A
30 MAIN DRIVING WHEEL 20 INCHES IN DIAMETER OR UNDER AND PRIMARILY

1 DESIGNED FOR CHILDREN SIX YEARS OF AGE OR YOUNGER.

2 "PEDALCYCLE WITH ELECTRIC ASSIST." A VEHICLE WEIGHING NOT
3 MORE THAN 100 POUNDS WITH TWO OR THREE WHEELS MORE THAN 11
4 INCHES IN DIAMETER, MANUFACTURED OR ASSEMBLED WITH AN ELECTRIC
5 MOTOR SYSTEM RATED AT NOT MORE THAN 750 WATTS AND EQUIPPED WITH
6 OPERABLE PEDALS AND CAPABLE OF A SPEED NOT MORE THAN 20 MILES
7 PER HOUR ON A LEVEL SURFACE WHEN POWERED BY THE MOTOR SOURCE
8 ONLY. THE TERM DOES NOT INCLUDE A DEVICE SPECIFICALLY DESIGNED
9 FOR USE BY PERSONS WITH DISABILITIES.

10 * * *

11 SECTION 2. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:
12 § 3514. OPERATION OF PEDALCYCLES WITH ELECTRIC ASSIST.

13 NO PERSON UNDER 16 YEARS OF AGE SHALL OPERATE A PEDALCYCLE
14 WITH ELECTRIC ASSIST.

15 SECTION 3. CHAPTER 35 OF TITLE 75 IS AMENDED BY ADDING A
16 SUBCHAPTER TO READ:

17 SUBCHAPTER F

18 OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES
19 SEC.

20 3591. SCOPE OF SUBCHAPTER.

21 3592. REQUIRED EQUIPMENT.

22 3593. OPERATION ON CERTAIN HIGHWAYS OR ROADWAYS.

23 3594. LICENSING, FINANCIAL RESPONSIBILITY, TITLING AND
24 REGISTRATION.

25 3595. SEATING LIMITATION.

26 3596. HOURS OF OPERATION.

27 § 3591. SCOPE OF SUBCHAPTER.

28 THIS SUBCHAPTER APPLIES TO THE OPERATION OF NEIGHBORHOOD
29 ELECTRIC VEHICLES ON CERTAIN HIGHWAYS OR ROADWAYS IN THIS
30 COMMONWEALTH.

1 § 3592. REQUIRED EQUIPMENT.

2 (A) GENERAL RULE.--A NEIGHBORHOOD ELECTRIC VEHICLE OPERATED
3 UPON ANY HIGHWAY OR ROADWAY IN THIS COMMONWEALTH SHALL BE
4 MAINTAINED IN PROPER CONDITION AND COMPLY WITH THE EQUIPMENT
5 REQUIREMENTS AND STANDARDS AS SET FORTH IN 49 CFR § 571.500
6 (RELATING TO STANDARD NO. 500; LOW-SPEED VEHICLES). A
7 NEIGHBORHOOD ELECTRIC VEHICLE OPERATING ON ANY HIGHWAY OR
8 ROADWAY SHALL HAVE A SLOW MOVING VEHICLE EMBLEM AFFIXED IN A
9 CONSPICUOUS PLACE ON THE REAR OF THE VEHICLE CONSISTENT WITH
10 SECTION 4529 (RELATING TO SLOW MOVING VEHICLE EMBLEM). A
11 NEIGHBORHOOD ELECTRIC VEHICLE OPERATED UPON ANY HIGHWAY OR
12 ROADWAY IN THIS COMMONWEALTH SHALL BE EQUIPPED WITH THE
13 FOLLOWING ADDITIONAL EQUIPMENT:

14 (1) BRAKES.

15 (2) AN ODOMETER.

16 (3) A SPEEDOMETER.

17 (4) THE ORIGINAL MANUFACTURER'S VEHICLE IDENTIFICATION
18 NUMBER DIE STAMPED UPON THE BODY OR FRAME, OR BOTH, OF THE
19 VEHICLE OR THE ORIGINAL MANUFACTURER'S VEHICLE IDENTIFICATION
20 NUMBER DIE STAMPED UPON THE ENGINE OR MOTOR OF THE VEHICLE.

21 (5) PNEUMATIC TIRES.

22 (6) WINDSHIELD WIPERS.

23 (B) EXEMPTION.--A NEIGHBORHOOD ELECTRIC VEHICLE SHALL BE
24 EXEMPT FROM EQUIPMENT REQUIREMENTS NOT ENUMERATED IN THIS
25 SUBCHAPTER.

26 (C) PENALTIES.--ANY PERSON WHO OPERATES A NEIGHBORHOOD
27 ELECTRIC VEHICLE WITHOUT THE EQUIPMENT PRESCRIBED IN THIS
28 SECTION SHALL BE SUBJECT TO THE PENALTIES UNDER SECTION 6502
29 (RELATING TO SUMMARY OFFENSES).

30 § 3593. OPERATION ON CERTAIN HIGHWAYS OR ROADWAYS.

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

13 (B) VIOLATION.--ANY PERSON OPERATING A NEIGHBORHOOD ELECTRIC
14 VEHICLE UPON A HIGHWAY OR ROADWAY OR CROSSING A HIGHWAY OR
15 ROADWAY IN VIOLATION OF THIS SECTION SHALL BE SUBJECT TO THE
16 PENALTIES UNDER SECTION 6502 (RELATING TO SUMMARY OFFENSES).
17 § 3594. LICENSING, FINANCIAL RESPONSIBILITY, TITLING AND
18 REGISTRATION.

19 A NEIGHBORHOOD ELECTRIC VEHICLE SHALL BE CONSIDERED A
20 PASSENGER CAR FOR THE PURPOSES OF PART II (RELATING TO TITLE,
21 REGISTRATION AND LICENSING) AND SECTION 4581 (RELATING TO
22 RESTRAINT SYSTEMS).

23 § 3595. SEATING LIMITATION.

24 A NEIGHBORHOOD ELECTRIC VEHICLE MAY NOT BE OPERATED AT A TIME
25 IN WHICH THE NUMBER OF PASSENGERS EXCEEDS THE NUMBER OF
26 AVAILABLE SAFETY BELTS IN THE VEHICLE.

27 § 3596. HOURS OF OPERATION.

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

30 SECTION 4. SECTION 4529(A) OF TITLE 75 IS AMENDED TO READ:

1 § 4529. SLOW MOVING VEHICLE EMBLEM.

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

11 * * *

12 SECTION 5. SECTION 4703(B) OF TITLE 75 IS AMENDED BY ADDING
13 A PARAGRAPH TO READ:

14 § 4703. OPERATION OF VEHICLE WITHOUT OFFICIAL CERTIFICATE OF
15 INSPECTION.

16 * * *

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

18 * * *

19 (14) A NEIGHBORHOOD ELECTRIC VEHICLE.

20 SECTION 6. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

21 (1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT IN 180
22 DAYS:

23 (I) THE ADDITION OF THE DEFINITION OF "NEIGHBORHOOD
24 ELECTRIC VEHICLE" IN 75 PA.C.S. § 102.

25 (II) THE ADDITION OF 75 PA.C.S. CH. 35 SUBCH. F.

26 (III) THE AMENDMENT OF 75 PA.C.S. § 4529(A).

27 (IV) THE ADDITION OF 75 PA.C.S. § 4703(B)(14).

28 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
29 DAYS.