

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 83 Session of 2013

INTRODUCED BY GREENLEAF, WOZNIAK, TARTAGLIONE, SCHWANK, COSTA, WAUGH, BOSCOLA, DINNIMAN AND WILEY, JANUARY 9, 2013

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, MARCH 11, 2013

AN ACT

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

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

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

19 \* \* \*

20 "Neighborhood electric vehicle." A four-wheeled electric

1 vehicle that has a maximum design speed of not less than 20  
2 miles per hour and of not more than 25 miles per hour and that  
3 is certified by the manufacturer to comply with the Federal  
4 motor vehicle safety standards established in 49 CFR § 571.500  
5 (relating to Standard No. 500; Low-speed vehicles).

6 \* \* \*

7 SECTION 2. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ: <--  
8 § 1788. NEIGHBORHOOD ELECTRIC VEHICLES.

9 (A) MINIMUM COVERAGE REQUIREMENTS.--A NEIGHBORHOOD ELECTRIC  
10 VEHICLE THAT IS REGISTERED OR OPERATED ON A HIGHWAY SHALL BE  
11 COVERED BY FINANCIAL RESPONSIBILITY IN THE AMOUNT OF \$15,000 FOR  
12 INJURY TO ONE PERSON IN ANY ONE ACCIDENT, IN THE AMOUNT OF  
13 \$30,000 FOR INJURY TO TWO OR MORE PERSONS IN ANY ONE ACCIDENT  
14 AND IN THE AMOUNT OF \$5,000 FOR DAMAGE OF PROPERTY OF OTHERS IN  
15 ANY ONE ACCIDENT. THE FINANCIAL RESPONSIBILITY SHALL BE IN A  
16 FORM ACCEPTABLE TO THE DEPARTMENT.

17 (B) EXEMPTION FROM OTHER COVERAGES.--FOR A NEIGHBORHOOD  
18 ELECTRIC VEHICLE, NO PERSON SHALL BE REQUIRED TO PURCHASE AND NO  
19 INSURER SHALL BE REQUIRED TO OFFER OR MAKE AVAILABLE ANY OTHER  
20 COVERAGES CONTAINED IN THIS CHAPTER.

21 Section 2 3. Chapter 35 of Title 75 is amended by adding a <--  
22 subchapter to read:

23 SUBCHAPTER F

24 OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES

25 Sec.

26 3591. Scope of subchapter.

27 3592. Required equipment.

28 3593. Operation on certain highways or roadways.

29 3594. Same treatment as passenger cars.

30 3595. Seating limitation.

1 3596. Waiver of liability.

2 § 3591. Scope of subchapter.

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

6 § 3592. Required equipment.

7 (a) General rule.--A neighborhood electric vehicle operated  
8 upon any highway or roadway in this Commonwealth shall be  
9 maintained in proper condition and comply with the equipment  
10 requirements and standards as set forth in 49 CFR § 571.500  
11 (relating to Standard No. 500; Low-speed vehicles). A  
12 neighborhood electric vehicle operated upon any highway or  
13 roadway in this Commonwealth shall be equipped with the  
14 following additional equipment:

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

17 (2) An odometer.

18 (3) A speedometer.

19 (4) The original manufacturer's vehicle identification  
20 number die stamped upon the body or frame, or both, of the  
21 vehicle or the original manufacturer's vehicle identification  
22 number die stamped upon the engine or motor of the vehicle.

23 (5) A windshield wiper.

24 (6) A horn.

25 (7) A battery charge indicator.

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

29 (c) 25 MPH vehicle decal.--A neighborhood electric vehicle  
30 shall have a safety information decal as provided by the

1 manufacturer affixed in a conspicuous place on the rear of the  
2 vehicle which shall display in prominent lettering "25 MPH  
3 Vehicle." The decal shall be at least 4 inches in height by 10  
4 inches in length.

5 (d) Penalties.--Any person who operates a neighborhood  
6 electric vehicle without the equipment prescribed in this  
7 section shall be subject to the penalties under section 6502  
8 (relating to summary offenses).

9 § 3593. Operation on certain highways or roadways.

10 (a) Operation on State highways.--

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

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

21 (3) The secretary may, by order, prohibit the use of a  
22 neighborhood electric vehicle on any street under the  
23 jurisdiction of the department where the secretary determines  
24 that the operation of a neighborhood electric vehicle would  
25 constitute a hazard.

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

28 (b) Operation on local roadways.--

29 (1) Except as otherwise provided under paragraph (2) or  
30 (3), a neighborhood electric vehicle may not be operated upon

1 any highway or roadway under the jurisdiction of a local  
2 authority with a posted speed limit in excess of 25 miles per  
3 hour.

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

9 (3) A local authority may, by ordinance or resolution,  
10 as appropriate, prohibit the use of a neighborhood electric  
11 vehicle on any roadway where the local authority determines  
12 that the operation of a neighborhood electric vehicle would  
13 constitute a hazard.

14 (c) Intersection with State highways.--

15 (1) A neighborhood electric vehicle may enter an  
16 intersection and cross any highway or roadway under the  
17 jurisdiction of the department where the posted speed limit  
18 is 35 miles per hour or less, provided that, if the highway  
19 or roadway is more than two lanes or is divided, such  
20 crossing shall only occur at a signalized intersection.

21 (2) A neighborhood electric vehicle may enter an  
22 intersection and cross any highway or roadway under the  
23 jurisdiction of the department where the posted speed limit  
24 is in excess of 35 miles per hour only at a signalized  
25 intersection.

26 (d) Intersection with local roadways.--

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

1 highway or roadway is more than two lanes or is divided, such  
2 crossing shall only occur at signalized intersections.

3 (2) A neighborhood electric vehicle may enter an  
4 intersection and cross any highway or roadway under the  
5 jurisdiction of a local authority where the posted speed  
6 limit is in excess of 35 miles per hour only at a signalized  
7 intersection.

8 (e) Violation.--Any person operating a neighborhood electric  
9 vehicle upon a highway or roadway or crossing a highway or  
10 roadway in violation of this section shall be subject to the  
11 penalties under section 6502 (relating to summary offenses).  
12 § 3594. Same treatment as passenger cars.

13 ~~(a) General rule.--A neighborhood electric vehicle shall be~~ <--  
14 ~~considered a passenger car for the purposes of Part II (relating~~  
15 ~~to title, registration and licensing) and section 4581 (relating~~  
16 ~~to restraint systems).~~

17 ~~(b) Financial responsibility. An operator of a neighborhood~~ <--  
18 ~~electric vehicle shall maintain financial responsibility in a~~  
19 ~~type and amount of coverage as defined in section 1702 (relating~~  
20 ~~to definitions). No policyholder shall be required to purchase~~  
21 ~~and an insurer shall not be required to offer or make available~~  
22 ~~any other coverages contained in Chapter 17 (relating to~~  
23 ~~financial responsibility).~~

24 § 3595. Seating limitation.

25 A neighborhood electric vehicle may not be operated at a time  
26 in which the number of passengers exceeds the number of  
27 available safety belts in the vehicle.

28 § 3596. Waiver of liability.

29 (a) General rule.--A purchaser of a new neighborhood  
30 electric vehicle in this Commonwealth shall execute a waiver and

1 certify that the neighborhood electric vehicle was purchased  
2 with full knowledge of the potentially hazardous characteristics  
3 of such vehicles as detailed by the manufacturer or the  
4 manufacturer's agent or dealer.

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

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

14 Section ~~3~~ 4. Section 4703(b) of Title 75 is amended by <--  
15 adding a paragraph to read:

16 § 4703. Operation of vehicle without official certificate of  
17 inspection.

18 \* \* \*

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

20 \* \* \*

21 (14) A neighborhood electric vehicle.

22 \* \* \*

23 Section ~~4~~ 5. This act shall take effect in 180 days. <--