

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

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 23, 2014

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.

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 3. Chapter 35 of Title 75 is amended by adding a
22 subchapter to read:

23 SECTION 1. CHAPTER 35 OF TITLE 75 OF THE PENNSYLVANIA <--
24 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBCHAPTER TO READ:

25 SUBCHAPTER F

26 OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES

27 Sec.

28 3591. Scope of subchapter.

29 3592. Required equipment.

30 3593. Operation on certain highways or roadways.

1 3594. Same treatment as passenger cars.

2 3595. Seating limitation.

3 3596. Waiver of liability.

4 § 3591. Scope of subchapter.

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

8 § 3592. Required equipment.

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

17 (1) Brakes adequate to control the movement of and to
18 stop such vehicle.

19 (2) An odometer.

20 (3) A speedometer.

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

25 (5) A windshield wiper.

26 (6) A horn.

27 (7) A battery charge indicator.

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

1 (c) 25 MPH vehicle decal.--A neighborhood electric vehicle
2 shall have a safety information decal as provided by the
3 manufacturer affixed in a conspicuous place on the rear of the
4 vehicle which shall display in prominent lettering "25 MPH
5 Vehicle." The decal shall be at least 4 inches in height by 10
6 inches in length.

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

11 § 3593. Operation on certain highways or roadways.

12 (a) Operation on State highways.--

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

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

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

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

30 (b) Operation on local roadways.--

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

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

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

16 (c) Intersection with State highways.--

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

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

28 (d) Intersection with local roadways.--

29 (1) A neighborhood electric vehicle may enter an
30 intersection and cross any highway or roadway under the

1 jurisdiction of a local authority where the posted speed
2 limit is 35 miles per hour or less, provided that, if the
3 highway or roadway is more than two lanes or is divided, such
4 crossing shall only occur at signalized intersections.

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

10 (e) Violation.--Any person operating a neighborhood electric
11 vehicle upon a highway or roadway or crossing a highway or
12 roadway in violation of this section shall be subject to the
13 penalties under section 6502 (relating to summary offenses).
14 § 3594. Same treatment as passenger cars.

15 A neighborhood electric vehicle shall be considered a
16 passenger car for the purposes of Part II (relating to title,
17 registration and licensing) and section 4581 (relating to
18 restraint systems).

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. Waiver of liability.

24 (a) General rule.--A purchaser of a new neighborhood
25 electric vehicle in this Commonwealth shall execute a waiver and
26 certify that the neighborhood electric vehicle was purchased
27 with full knowledge of the potentially hazardous characteristics
28 of such vehicles as detailed by the manufacturer or the
29 manufacturer's agent or dealer.

30 (b) Manufacturer responsibility.--The waiver shall be

1 prepared by the manufacturer and kept in the possession of the
2 manufacturer and the manufacturer's agent or dealer of
3 neighborhood electric vehicles. An executed copy shall be
4 provided to the purchaser.

5 (c) Signing by purchaser.--The signing of the waiver by the
6 purchaser shall serve to eliminate any liability of the
7 manufacturer and the manufacturer's agent or dealer of
8 neighborhood electric vehicles.

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

11 ~~§ 4703. Operation of vehicle without official certificate of~~
12 ~~inspection.~~

13 ~~* * *~~

14 ~~(b) Exceptions. Subsection (a) does not apply to:~~

15 ~~* * *~~

16 ~~(14) A neighborhood electric vehicle.~~

17 ~~* * *~~

18 Section 5 2. This act shall take effect ~~in 180 days~~ MAY 1, <--
19 2015.