



Senate Transportation Committee

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Bill Summary

[Senate Bill 152](#)

Sponsor: Senator Greenleaf

Printers Number 123

Referred: 01/30/09

Senate Bill 152 amends Pa.C.S. Title 75 (Vehicles) creating a new defined term and a new subchapter in Chapter 35 entitled "Operating Neighborhood Electric Vehicles." The Subchapter provides for the use of Neighborhood Electric Vehicles (NEV) upon certain highways within the Commonwealth. The bill defines an NEV as a four wheeled electric vehicle with a maximum design speed between 20 and 25 mph and which is certified to comply with Federal low speed vehicle safety standards.

The bill authorizes travel in NEV's on roadways with a posted speed limit of no more than 25 mph unless certain conditions are met. The Secretary of Transportation may approve travel on state roads with a posted speed limit between 25mph and 35mph. Municipal governments will have the same authority for roads under their control.

These vehicles are required to be equipped with slow moving vehicle triangles and most basic safety equipment such as brakes, mirrors, seatbelts, lights among other federal requirements.

NEV's would be classified as a passenger vehicle for the purposes of titling and registration, but would not be subject to annual safety or emissions inspections. Financial responsibility appropriate to the class of vehicle is required as is a valid driver's license.

Vehicles meeting the definition of Neighborhood Electric Vehicles or similar low speed vehicles are street legal with varying conditions in 40 states as listed below.

Effective Date:

180 Days

Summary of State Laws:
Low Speed Vehicles (LSV's) or Neighborhood Electric Vehicles (NEV's)

**LSV's or NEV's are street legal in 40 states.*

**Operation/Posted Speed Limits:*

- 1 State (*Kansas*) permits operation on roadways not greater than 40 mph.
- 34 States permit operation on roadways not greater than 35 mph.
- 1 State (*Maryland*) permits operation on roadways not greater than 30 mph.
- 4 States (*Idaho, Rhode Island, W. Virginia and New Jersey*) permit operation on roadways not greater than 25 mph. **NJ law:* The State or municipality may, at their discretion, permit the use of low speed vehicles upon any road under his jurisdiction, where the posted speed limit is greater than 25

miles

per hour but not greater than 35 miles per hour.

- *Electric Vehicle Association of America's (EVAA) "Model" LSV legislation* permits operation on roadways not greater than 35 mph.
- *American Assoc. of Motor Vehicle Administrators' (AAMVA) "Model" LSV legislation* permits operation within master plan communities and public roadways not greater than 35 mph. ¹Jurisdictions should examine the safety considerations of allowing vehicles with a maximum speed of 25 miles per hour on roads with speed limits of 35 miles per hour.

**Cross Over / Intersections:*

- 1 State (*Vermont*) permits crossing over roadways at an intersection with a traffic control signal where the road has a speed limit not greater than 50 mph.
- 1 State (*Maryland*) permits crossing over roadways w/speed limits not greater than 45 mph. *May cross higher speed limit road at intersection with a traffic control signal or stop sign at each approach.*
- 1 State (*Kansas*) permits crossing over roadways w/speed limits greater than 40 mph.
- 25 States permit crossing roadways at intersections where the road's speed limit is greater than 35 mph.
- 5 States (*Kentucky, Minnesota, Nevada, New Jersey and Washington*) permits crossing over roadways with speed limits not greater than 35 mph.
- 1 State (*Idaho*) permits crossing over roadways with speed limits not greater than 25 mph.
- 6 States make no mention of what roadways they may cross in terms of their speed limit.
- *EVAA "model" legislation* permits crossing roadways w/speed limits not greater than 35 mph.
- *AAMVA "model" legislation* makes no mention of what roadways they may cross in terms of speed limit.

**Safety Inspection:*

- 3 States (*Hawaii, Utah and Vermont*) provide for some state inspection of LSV's or NEV's.
- 2 States (*Delaware and W. Virginia*) provide for self certification in lieu of an annual safety inspection.
- *AAMVA "model" legislation* also provides for self certification that car is in good working condition.

**Slow Moving Vehicle Emblem:*

- 4 States (*Hawaii, Illinois, Texas and Utah*) require display of a slow moving vehicle emblem.
- 1 State (*New Jersey*) requires display in rear of vehicle in prominent lettering "25MPH Vehicle."
- 1 State (*Colorado*) permits display but not required and 1 State (*Georgia*) requires an amber strobe light.

**Disclosure Statement:*

- 2 States (*Arizona and Hawaii*) require notice of operational restrictions permanently attached to vehicle or painted – must be visible to driver.
- 3 States (*California, New York and New Jersey*) require dealer to provide buyer w/written disclosure about vehicle operation on roads. NY also requires a decal be affixed to underside of roof or near the windshield.

**State or Local Government Prohibition on Operation of LSV's or NEV's:*

- 29 States permit state or local governments to restrict the operations of these vehicles on any road under their jurisdiction if they determine that such prohibition is necessary in the interest of safety.
- 11 States do not have such a provision in their law.
- *EVAA "model" legislation* and the *AAMVA "model" legislation* both permit state or local governments the ability to restrict the operations of these vehicles on any road in their jurisdiction for safety purposes.