

No. 2014-177

AN ACT

SB 83

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in special vehicles and pedestrians, providing for regulation and operation of neighborhood electric vehicles.

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

Section 1. Chapter 35 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a subchapter to read:

**SUBCHAPTER F
OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES**

Sec.

3591. Scope of subchapter.

3592. Required equipment.

3593. Operation on certain highways or roadways.

3594. Same treatment as passenger cars.

3595. Seating limitation.

3596. Waiver of liability.

§ 3591. Scope of subchapter.

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

§ 3592. Required equipment.

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

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

(2) An odometer.

(3) A speedometer.

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

(5) A windshield wiper.

(6) A horn.

(7) A battery charge indicator.

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

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

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

§ 3593. *Operation on certain highways or roadways.*

(a) *Operation on State highways.*—

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

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

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

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

(b) *Operation on local roadways.*—

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

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

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

(c) *Intersection with State highways.*—

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

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

(d) *Intersection with local roadways.*—

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

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

(e) Violation.—Any person operating a neighborhood electric vehicle upon a highway or roadway or crossing a highway or roadway in violation of this section shall be subject to the penalties under section 6502 (relating to summary offenses).

§ 3594. Same treatment as passenger cars.

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

§ 3595. Seating limitation.

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

§ 3596. Waiver of liability.

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

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

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

Section 2. This act shall take effect May 1, 2015.

APPROVED—The 22nd day of October, A.D. 2014

TOM CORBETT