

REGULATION OF NEIGHBORHOOD ELECTRIC VEHICLES

Section I. Title/Purpose. This ordinance is entitled “Regulation of Neighborhood Electric Vehicles”. The purpose of this Ordinance is as follows:

To allow Neighborhood Electric Vehicles (NEV’s) to be driven on Town roads by outlining their use.

Section II. Adoption of Ordinance. The Town Board of the Town of Shelby hereby adopts the following:

A. Definitions.

1. “Neighborhood Electric Vehicles” (NEV) means a self propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the Federal Department of Energy and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for “low-speed vehicles” under 49 CFR 571.3 (b) and 571.500.

2. NEV’s shall be 4-wheeled and have a speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and have a gross vehicle weight at rest of less than 2,500 pounds. NEV does not include an electric golf cart and shall have the following specifications to be verified by the Police Department:

- a. Headlamps;
- b. Front and rear turn signals;
- c. Stop lamps;
- d. Reflex reflectors: one red on each side as far to the rear as practicable; and one red on the rear;
- e. An exterior mirror mounted on the driver’s side and either an exterior mirror on the passenger side or an interior rearview mirror;
- f. Parking brake;
- g. A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205);
- h. A vehicle Identification Number (VIN) that complies with federal law 949 CFR 565;

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- i. A Type 1 or Type 2 seatbelt assembly conforming to 49 CRF 571.209, and Federal Motor Safety Standard No. 209, for each designated seating position; and
- j. Meets the general test conditions under 49 CRF 571.50056.

3. PERMITTED USE: Neighborhood Electric Vehicles may be operated on the roads of the Town has a posted speed limit of 35 miles per hour or less. If vehicle specifications are less than 35 miles per hour, the applicant is required to place a slow moving vehicle sign on the vehicle.

4. PERMITTED USERS: Users of Neighborhood Electric Vehicles on Town roads must have a driver's license and abide by all State and Town traffic regulation.

Section III. Enforcement and Penalties. Any person who violates, this ordinance shall, upon conviction, be subject to a forfeiture of One Hundred Dollars (\$100.00) for each such offense.

Section IV. Severability. The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have passed the provisions of the Ordinance irrespective of whether one or more provisions may be declared invalid, and if any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provision to other person or circumstances shall not be affected thereby.

Section V. Effective Date. This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous Ordinances of the Town of Shelby that are or may be in conflict therewith.

Date passed: March 22, 2010

Lynnetta P. Kopp, Town Chair

Randy Knapp, Town Supervisor

John Zahn, Town Supervisor

ATTEST:

Cathy Brott, Town Clerk