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SENATE BILL 6346

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State of Washington

61st Legislature

2010 Regular Session

By Senators Ranker, Haugen, Regala, Rockefeller, Pridemore, Marr, King, Fraser, Swecker, Kilmer, Shin, Tom, Kohl-Welles, and Kline

Read first time 01/12/10. Referred to Committee on Transportation.

1 AN ACT Relating to expanding the use of certain electric vehicles;  
2 and amending RCW 46.04.295, 46.61.723, and 46.61.725.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.04.295 and 2007 c 510 s 2 are each amended to read  
5 as follows:

6 "Medium-speed electric vehicle" means a self-propelled,  
7 electrically powered four-wheeled motor vehicle, equipped with a roll  
8 cage or crush-proof body design, whose speed attainable in one mile is  
9 more than (~~thirty~~) twenty-five miles per hour but not more than  
10 thirty-five miles per hour and otherwise meets or exceeds the federal  
11 regulations set forth in 49 C.F.R. Sec. 571.500.

12 **Sec. 2.** RCW 46.61.723 and 2007 c 510 s 3 are each amended to read  
13 as follows:

14 (1) Except as provided in subsection (3) of this section, a person  
15 may operate a medium-speed electric vehicle upon a highway of this  
16 state having a speed limit of (~~thirty-five~~) forty-five miles per hour  
17 or less if:

1 (a) The person does not operate a medium-speed electric vehicle  
2 upon state highways that are listed in chapter 47.17 RCW;

3 (b) The person does not operate a medium-speed electric vehicle  
4 upon a highway of this state without first having obtained and having  
5 in full force and effect a current and proper vehicle license and  
6 display vehicle license number plates in compliance with chapter 46.16  
7 RCW;

8 (c) The person does not operate a medium-speed electric vehicle  
9 upon a highway of this state without first obtaining a valid driver's  
10 license issued to Washington residents in compliance with chapter 46.20  
11 RCW;

12 (d) The person does not operate a medium-speed electric vehicle  
13 subject to registration under chapter 46.16 RCW on a highway of this  
14 state unless the person is insured under a motor vehicle liability  
15 policy in compliance with chapter 46.30 RCW; and

16 (e) The person operating a medium-speed electric vehicle does not  
17 cross a roadway with a speed limit in excess of ((~~thirty-five~~)) forty-  
18 five miles per hour, unless the crossing begins and ends on a roadway  
19 with a speed limit of ((~~thirty-five~~)) forty-five miles per hour or less  
20 and occurs at an intersection of approximately ninety degrees, except  
21 that the operator of a medium-speed electric vehicle must not cross an  
22 uncontrolled intersection of streets and highways that are part of the  
23 state highway system subject to Title 47 RCW unless that intersection  
24 has been authorized by local authorities under subsection (3) of this  
25 section.

26 (2) Any person who violates this section commits a traffic  
27 infraction.

28 (3) This section does not prevent local authorities, with respect  
29 to streets and highways under their jurisdiction and within the  
30 reasonable exercise of their police power, from regulating the  
31 operation of medium-speed electric vehicles on streets and highways  
32 under their jurisdiction by resolution or ordinance of the governing  
33 body, if the regulation is consistent with this title, except that:

34 (a) Local authorities may not authorize the operation of medium-  
35 speed electric vehicles on streets and highways that are part of the  
36 state highway system subject to Title 47 RCW;

37 (b) Local authorities may not prohibit the operation of medium-

1 speed electric vehicles upon highways of this state having a speed  
2 limit of thirty-five miles per hour or less; and

3 (c) Local authorities may not establish requirements for the  
4 registration and licensing of medium-speed electric vehicles.

5 **Sec. 3.** RCW 46.61.725 and 2003 c 353 s 3 are each amended to read  
6 as follows:

7 (1) Absent prohibition by local authorities authorized under this  
8 section and except as prohibited elsewhere in this section, a person  
9 may operate a neighborhood electric vehicle upon a highway of this  
10 state having a speed limit of ((~~thirty-five~~)) forty-five miles per hour  
11 or less if:

12 (a) The person does not operate a neighborhood electric vehicle  
13 upon state highways that are listed in chapter 47.17 RCW;

14 (b) The person does not operate a neighborhood electric vehicle  
15 upon a highway of this state without first having obtained and having  
16 in full force and effect a current and proper vehicle license and  
17 display vehicle license number plates in compliance with chapter 46.16  
18 RCW;

19 (c) The person does not operate a neighborhood electric vehicle  
20 upon a highway of this state without first obtaining a valid driver's  
21 license issued to Washington residents in compliance with chapter 46.20  
22 RCW;

23 (d) The person does not operate a neighborhood electric vehicle  
24 subject to registration under chapter 46.16 RCW on a highway of this  
25 state unless the person is insured under a motor vehicle liability  
26 policy in compliance with chapter 46.30 RCW; and

27 (e) The person operating a neighborhood electric vehicle does not  
28 cross a roadway with a speed limit in excess of ((~~thirty-five~~)) forty-  
29 five miles per hour, unless the crossing begins and ends on a roadway  
30 with a speed limit of ((~~thirty-five~~)) forty-five miles per hour or less  
31 and occurs at an intersection of approximately ninety degrees, except  
32 that the operator of a neighborhood electric vehicle must not cross an  
33 uncontrolled intersection of streets and highways that are part of the  
34 state highway system subject to Title 47 RCW unless that intersection  
35 has been authorized by local authorities provided elsewhere in this  
36 section.

1           (2) Any person who violates this section commits a traffic  
2     infraction.

3           (3) This section does not prevent local authorities, with respect  
4     to streets and highways under their jurisdiction and within the  
5     reasonable exercise of their police power, from regulating the  
6     operation of neighborhood electric vehicles on streets and highways  
7     under their jurisdiction by resolution or ordinance of the governing  
8     body, if the regulation is consistent with the provisions of this  
9     title, except that:

10          (a) Local authorities may not authorize the operation of  
11     neighborhood electric vehicles on streets and highways that are part of  
12     the state highway system subject to the provisions of Title 47 RCW;

13          (b) Local authorities may not prohibit the operation of  
14     neighborhood electric vehicles upon highways of this state having a  
15     speed limit of twenty-five miles per hour or less; and

16          (c) Local authorities are prohibited from establishing any  
17     requirements for the registration and licensing of neighborhood  
18     electric vehicles.

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