

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6346

61st Legislature
2010 Regular Session

Passed by the Senate March 7, 2010
YEAS 46 NAYS 0

President of the Senate

Passed by the House March 3, 2010
YEAS 92 NAYS 5

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6346** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6346

AS AMENDED BY THE HOUSE

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By Senate Transportation (originally sponsored by Senators Ranker, Haugen, Regala, Rockefeller, Pridemore, Marr, King, Fraser, Swecker, Kilmer, Shin, Tom, Kohl-Welles, and Kline)

READ FIRST TIME 01/27/10.

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 miles per hour or less, or
17 forty-five miles per hour or less as provided in subsection (4) of this
18 section, 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. The department must track medium-speed electric vehicles in a
8 separate registration category for reporting purposes;

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

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

17 (e) The person operating a medium-speed electric vehicle does not
18 cross a roadway with a speed limit in excess of thirty-five miles per
19 hour, or forty-five miles per hour as provided in subsection (4) of
20 this section, unless the crossing begins and ends on a roadway with a
21 speed limit of thirty-five miles per hour or less, or forty-five miles
22 per hour or less as provided in subsection (4) of this section, and
23 occurs at an intersection of approximately ninety degrees, except that
24 the operator of a medium-speed electric vehicle must not cross an
25 uncontrolled intersection of streets and highways that are part of the
26 state highway system subject to Title 47 RCW unless that intersection
27 has been authorized by local authorities under subsection (3) of this
28 section.

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

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

37 (a) Local authorities may not authorize the operation of medium-

1 speed electric vehicles on streets and highways that are part of the
2 state highway system subject to Title 47 RCW;

3 (b) Local authorities may not prohibit the operation of medium-
4 speed electric vehicles upon highways of this state having a speed
5 limit of thirty-five miles per hour or less; and

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

8 (4) In counties consisting of islands whose only connection to the
9 mainland are ferry routes, a person may operate a medium-speed electric
10 vehicle upon a highway of this state having a speed limit of forty-five
11 miles per hour or less. A person operating a medium-speed electric
12 vehicle as authorized under this subsection must not cross a roadway
13 with a speed limit in excess of forty-five miles per hour, unless the
14 crossing begins and ends on a roadway with a speed limit of forty-five
15 miles per hour or less and occurs at an intersection of approximately
16 ninety degrees, except that the operator of a medium-speed electric
17 vehicle must not cross an uncontrolled intersection of streets and
18 highways that are part of the state highway system subject to Title 47
19 RCW unless that intersection has been authorized by local authorities
20 under subsection (3) of this section.

21 (5) Accidents must be recorded and tracked in compliance with
22 chapter 46.52 RCW. An accident report must indicate and be tracked
23 separately when any of the vehicles involved are a medium-speed
24 electric vehicle.

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

27 (1) Absent prohibition by local authorities authorized under this
28 section and except as prohibited elsewhere in this section, a person
29 may operate a neighborhood electric vehicle upon a highway of this
30 state having a speed limit of thirty-five miles per hour or less, or
31 forty-five miles per hour or less as provided in subsection (4) of this
32 section, if:

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

35 (b) The person does not operate a neighborhood electric vehicle
36 upon a highway of this state without first having obtained and having
37 in full force and effect a current and proper vehicle license and

1 display vehicle license number plates in compliance with chapter 46.16
2 RCW. The department must track neighborhood electric vehicles in a
3 separate registration category for reporting purposes;

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

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

12 (e) The person operating a neighborhood electric vehicle does not
13 cross a roadway with a speed limit in excess of thirty-five miles per
14 hour, or forty-five miles per hour as provided in subsection (4) of
15 this section, unless the crossing begins and ends on a roadway with a
16 speed limit of thirty-five miles per hour or less, or forty-five miles
17 per hour or less as provided in subsection (4) of this section, and
18 occurs at an intersection of approximately ninety degrees, except that
19 the operator of a neighborhood electric vehicle must not cross an
20 uncontrolled intersection of streets and highways that are part of the
21 state highway system subject to Title 47 RCW unless that intersection
22 has been authorized by local authorities provided elsewhere in this
23 section.

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

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

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

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

1 (c) Local authorities are prohibited from establishing any
2 requirements for the registration and licensing of neighborhood
3 electric vehicles.

4 (4) In counties consisting of islands whose only connection to the
5 mainland are ferry routes, a person may operate a neighborhood electric
6 vehicle upon a highway of this state having a speed limit of forty-five
7 miles per hour or less. A person operating a neighborhood electric
8 vehicle as authorized under this subsection must not cross a roadway
9 with a speed limit in excess of forty-five miles per hour, unless the
10 crossing begins and ends on a roadway with a speed limit of forty-five
11 miles per hour or less and occurs at an intersection of approximately
12 ninety degrees, except that the operator of a neighborhood electric
13 vehicle must not cross an uncontrolled intersection of streets and
14 highways that are part of the state highway system subject to Title 47
15 RCW unless that intersection has been authorized by local authorities
16 under subsection (3) of this section.

17 (5) Accidents must be recorded and tracked in compliance with
18 chapter 46.52 RCW. An accident report must indicate and be tracked
19 separately when any of the vehicles involved are a neighborhood
20 electric vehicle.

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