

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6346**

Chapter 144, Laws of 2010

61st Legislature  
2010 Regular Session

ELECTRIC VEHICLES--REQUIREMENTS FOR OPERATION

EFFECTIVE DATE: 06/10/10

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

BRAD OWEN

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**President of the Senate**

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

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved March 19, 2010, 2:26 p.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**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.

THOMAS HOEMANN

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**Secretary**

FILED

March 19, 2010

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6346**

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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.

Passed by the Senate March 7, 2010.

Passed by the House March 3, 2010.

Approved by the Governor March 19, 2010.

Filed in Office of Secretary of State March 19, 2010.