

# FINAL BILL REPORT

## ESB 5450

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Synopsis as Enacted

**Brief Description:** Providing incentives to reduce air pollution through the use of neighborhood electric vehicles.

**Sponsors:** Senators Horn, Jacobsen, Finkbeiner, Eide, Swecker, Reardon, Regala, Fairley, Kline, Fraser, Haugen, Keiser and Kohl-Welles.

**Senate Committee on Highways & Transportation**  
**House Committee on Transportation**

**Background:** Neighborhood electric vehicles (NEVs) are four-wheeled electric vehicles that can reach a maximum speed of 25 miles per hour. They are not permitted on public highways in Washington State.

Motorized scooters have either internal combustion engines or battery-powered motors and can reach speeds of up to 20 miles per hour. Current law regulates bicycles, electric-assisted bicycles, motorcycles and motor-driven cycles, but does not include provisions regarding motorized scooters.

**Summary:** NEVs are defined as four-wheeled motor vehicles that are self-propelled and electrically powered that reach a speed between 20 and 25 miles per hour and conform to federal regulations. Drivers and passengers of NEVs must wear seatbelts and comply with the state's child restraint system requirements.

NEVs may be operated on state highways that have a speed limit of 35 miles per hour or less if the person operating the vehicle: (a) is not driving the NEV on a state highway route; (b) has a vehicle license for the NEV and displays vehicle license number plates; (c) has a valid driver's license; (d) is insured under a motor vehicle liability policy; and (e) does not cross a roadway with a speed limit over 35 miles per hour, unless the crossing begins and ends on a roadway with a speed limit of 35 miles or less and occurs at an intersection of approximately 90 degrees. A NEV must not cross an uncontrolled intersection of streets and highways that are part of the state highway system (which includes state highway routes and interstates), unless that intersection has been authorized by local authorities accordingly.

If a person operates a NEV and violates any of the above provisions, he or she is guilty of a traffic infraction.

With respect to streets and highways under their jurisdiction and within the reasonable exercises of their police power, local authorities may regulate the operation of NEVs by resolution or ordinance of the governing body; however, such authorities may not: (a) authorize the operation of NEVs on state highway routes, interstates, and other limited access facilities; (b) prohibit the operation of NEVs on public roadways with a speed limit of 25

miles per hour or less; and (c) prohibit the establishment of any requirement for registration and licensing of NEVs.

Motorized foot scooters are defined as: 1) having handlebars and two wheels that are no more than ten inches or smaller in diameter; 2) designed to be stood or sat upon; and 3) are powered by an internal combustion engine or electric motor. Vehicle licensing and registration provisions do not apply to motorized foot scooters, and operators are not required to have a drivers' license. Motorized foot scooters may be operated during daylight hours and before sunrise and after sunset if they have reflectors approved by the Washington State Patrol. Most provisions regulating mopeds do not apply to motorized foot scooters.

Motorized foot-scooters have the same highway access as bicycles and may be operated on a multi-purpose trail or in bicycle lanes; however, local jurisdictions may restrict access. The Parks and Recreation Commission may regulate the use of motorized foot scooters within the boundaries of a park. Motorized scooters may not have access to bicycle paths, trails, or bikeways built with federal funding.

**Votes on Final Passage:**

Senate	48	0	
House	93	0	(House amended)
Senate			(Senate refused to concur)
House	95	3	(House amended)
Senate	48	0	(Senate concurred)

**Effective:** August 1, 2003