
HOUSE BILL 1438

State of Washington

58th Legislature

2003 Regular Session

By Representatives Sullivan, Jarrett, Upthegrove, Nixon, Schoesler, Crouse, Wood, Gombosky, Ruderman, Cooper, Linville, Rockefeller, Hudgins, McDermott and Wallace

Read first time 01/27/2003. Referred to Committee on Transportation.

1 AN ACT Relating to providing incentives to reduce air pollution
2 through the licensing and use of neighborhood electric vehicles;
3 amending RCW 46.04.320; adding a new section to chapter 46.04 RCW;
4 adding a new section to chapter 46.61 RCW; prescribing penalties; and
5 providing an effective date.

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

7 **Sec. 1.** RCW 46.04.320 and 2002 c 247 s 2 are each amended to read
8 as follows:

9 "Motor vehicle" ((shall)) means every vehicle which is self-
10 propelled and every vehicle which is propelled by electric power
11 obtained from overhead trolley wires, but not operated upon rails.
12 "Motor vehicle" includes a neighborhood electric vehicle as defined in
13 section 2 of this act. An electric personal assistive mobility device
14 is not considered a motor vehicle.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04 RCW
16 to read as follows:

17 "Neighborhood electric vehicle" means a self-propelled,
18 electrically powered four-wheeled motor vehicle whose speed attainable

1 in one mile is more than twenty miles per hour and not more than
2 twenty-five miles per hour and conforms to federal regulations under
3 Title 49 C.F.R. Part 571.500.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.61 RCW
5 to read as follows:

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

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

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

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

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

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

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

36 (3) This section does not prevent local authorities, with respect
37 to streets and highways under their jurisdiction and within the

1 reasonable exercise of their police power, from regulating the
2 operation of neighborhood electric vehicles on streets and highways
3 under their jurisdiction by resolution or ordinance of the governing
4 body, if the regulation is consistent with the provisions of this
5 title, except that:

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

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

12 (c) Local authorities are prohibited from establishing any
13 requirements for the registration and licensing of neighborhood
14 electric vehicles.

15 NEW SECTION. **Sec. 4.** This act takes effect August 1, 2003.

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