

# SENATE BILL REPORT

## SSB 6346

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As Amended by House, March 3, 2010

**Title:** An act relating to expanding the use of certain electric vehicles.

**Brief Description:** Expanding the use of certain electric vehicles.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Ranker, Haugen, Regala, Rockefeller, Pridemore, Marr, King, Fraser, Swecker, Kilmer, Shin, Tom, Kohl-Welles and Kline).

**Brief History:**

**Committee Activity:** Transportation: 1/20/10, 1/25/10 [DPS, w/oRec].

Passed Senate: 2/10/10, 47-0.

Passed House: 3/03/10, 92-5.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 6346 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Becker, Berkey, Delvin, Eide, Hatfield, Jacobsen, Kastama, Kauffman, Kilmer, King, Ranker and Sheldon.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Benton.

**Staff:** Wendy Malkin (786-7434)

**Background:** Under Washington law, it is a traffic infraction for any person to drive or move a motor vehicle on any public road if the motor vehicle does not meet safety and equipment standards specified by statute or agency rule.

Two types of vehicles, neighborhood electric vehicles (NEVs) and medium-speed electric vehicles (MEVs), may be operated, within certain conditions, on public roads even though these vehicles do not meet the safety and equipment standards required of higher speed vehicles. However, these vehicles must meet federal safety and equipment standards for low-speed vehicles. Equipment requirements for low-speed vehicles include headlights and taillights, a windshield, mirrors, turn signals, and seatbelts. Under federal rule, a low-speed

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vehicle is defined as having a speed attainable of more than 20 miles per hour (mph) but not more than 25 mph.

Under Washington law, NEVs are defined as having a speed attainable of more than 20 mph but not more than 25 mph, and MEVs are defined as having a speed attainable of more than 30 mph but not more than 35 mph.

Under Washington law, both NEVs and MEVs may be driven on city streets and county roads that are not state routes if the road has a speed limit of 35 mph or less. Both vehicle types must have a vehicle license, and operators must have a driver's license and liability insurance.

Local jurisdictions may prohibit NEVs on roads with a speed limit over 25 mph, and local jurisdictions may prohibit MEVs on roads with a speed limit over 35 mph.

**Summary of Substitute Bill:** In counties consisting of islands whose only connection to the mainland are ferry routes, a person may operate an NEV and MEV on city streets and county roads that are not state routes if the road has a speed limit of 45 mph or less. Currently, the increased speed limit in this provision will apply to only San Juan County.

The definition of MEV is changed to bring its minimum speed attainable down from more than 30 mph to more than 25 mph. The definition change eliminates a gap between the definitions of NEVs and MEVs.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: In Island and Suan Juan counties we have non-state highway county roads. Some people who own NEVs want to get from their home to a grocery store, but they cannot make the trip because they would have to drive on a road with a speed limit of 45 mph for a couple of miles. This bill would allow them to make this short trip. NEVs are affordable and provide an easy way to get around town. NEVs are not golf carts. These vehicles are like small cars, and they have lights and seatbelts. We have scooters and mopeds legally driving on these roads already, and NEVs are much safer than scooters and mopeds.

OTHER: There are safety concerns with lower speed vehicles on the roadway comingling with larger vehicles. There is a potential for an increase in serious collisions. If a vehicle is traveling 20-25 mph on a road with a 45 mph speed limit, the slow vehicle could get a line of cars behind it. Drivers behind the NEV might make poor passing decisions, which could lead to serious accidents. NEVs do not have the safety features of regular passenger cars. The federal government says anything that can travel over 25 mph needs to have the safety features of a passenger car.

**Persons Testifying:** PRO: Senator Ranker, prime sponsor.

OTHER: Jason Berry, Washington State Patrol.

**House Amendment(s):** The House amendment requires the Department of Licensing to track NEVs and MEVs in a separate registration category. In addition, accidents that involve NEVs or MEVs must be tracked separately.