
SUBSTITUTE SENATE BILL 6346

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;

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

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

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

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

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

36 (a) Local authorities may not authorize the operation of medium-
37 speed electric vehicles on streets and highways that are part of the
38 state highway system subject to Title 47 RCW;

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

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

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

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

21 (1) Absent prohibition by local authorities authorized under this
22 section and except as prohibited elsewhere in this section, a person
23 may operate a neighborhood electric vehicle upon a highway of this
24 state having a speed limit of thirty-five miles per hour or less, or
25 forty-five miles per hour or less as provided in subsection (4) of this
26 section, if:

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

29 (b) The person does not operate a neighborhood electric vehicle
30 upon a highway of this state without first having obtained and having
31 in full force and effect a current and proper vehicle license and
32 display vehicle license number plates in compliance with chapter 46.16
33 RCW;

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

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

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

17 (2) Any person who violates this section commits a traffic
18 infraction.

19 (3) This section does not prevent local authorities, with respect
20 to streets and highways under their jurisdiction and within the
21 reasonable exercise of their police power, from regulating the
22 operation of neighborhood electric vehicles on streets and highways
23 under their jurisdiction by resolution or ordinance of the governing
24 body, if the regulation is consistent with the provisions of this
25 title, except that:

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

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

32 (c) Local authorities are prohibited from establishing any
33 requirements for the registration and licensing of neighborhood
34 electric vehicles.

35 (4) In counties consisting of islands whose only connection to the
36 mainland are ferry routes, a person may operate a neighborhood electric
37 vehicle upon a highway of this state having a speed limit of forty-five
38 miles per hour or less. A person operating a neighborhood electric

1 vehicle as authorized under this subsection must not cross a roadway
2 with a speed limit in excess of forty-five miles per hour, unless the
3 crossing begins and ends on a roadway with a speed limit of forty-five
4 miles per hour or less and occurs at an intersection of approximately
5 ninety degrees, except that the operator of a neighborhood electric
6 vehicle must not cross an uncontrolled intersection of streets and
7 highways that are part of the state highway system subject to Title 47
8 RCW unless that intersection has been authorized by local authorities
9 under subsection (3) of this section.

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