

AMENDED IN ASSEMBLY APRIL 9, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 225

**Introduced by Assembly Member Nestande
(Principal coauthor: Assembly Member Medina)**

February 4, 2013

An act to amend Section 21251 of, and to add Article 7 (commencing with Section 21290) to Chapter 1 of Division 11 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 225, as amended, Nestande. Medium-speed electric vehicles.

Existing law defines "low-speed vehicle" as a motor vehicle, other than a motor truck, with 4 wheels that is capable of a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour on a paved level surface and that has a gross vehicle weight rating of less than 3,000 pounds. Existing law imposes certain restrictions on the use of low-speed vehicles on public streets and highways, and generally requires an operator of a low-speed vehicle to have a driver's license. A violation of these provisions is a crime.

This bill would authorize the operation of a medium-speed electric vehicle, as defined, at speeds of no more than ~~35~~ 45 miles per hour on a roadway with a speed limit that does not exceed 45 miles per hour. ~~The bill would require that the driver of a medium-speed electric vehicle possess a class A, class B, or class C driver's license. The bill would require a medium-speed electric vehicle to meet certain safety requirements, including specified Federal Motor Vehicle Safety~~

Standards. The bill would make, subject to exceptions, a medium-speed electric vehicle subject to all the laws applicable to a motor vehicle, and the driver of a medium-speed electric vehicle subject to all the laws applicable to the driver of a motor vehicle or other vehicle, as specified. Because it is unlawful and constitutes an infraction for any person to violate, or fail to comply with any provision of the Vehicle Code, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. ~~Section 21251 of the Vehicle Code is amended~~
2 ~~to read:~~

3 ~~21251. Except as provided in Chapter 6.2 (commencing with~~
4 ~~Section 1962), Chapter 7.1 (commencing with Section 1964),~~
5 ~~Chapter 8 (commencing with Section 1965), and Chapter 8.1~~
6 ~~(commencing with Section 1966) of Division 2.5 of the Streets~~
7 ~~and Highways Code, and Sections 4023, 21115, and 21115.1, a~~
8 ~~low-speed vehicle or medium-speed electric vehicle is subject to~~
9 ~~all of the laws applicable to a motor vehicle, and the driver of a~~
10 ~~low-speed vehicle or medium-speed electric vehicle is subject to~~
11 ~~all of the laws applicable to the driver of a motor vehicle or other~~
12 ~~vehicle, when applicable, by this code or another code, with the~~
13 ~~exception of those laws that, by their very nature, can have no~~
14 ~~application.~~

15 ~~SEC. 2.~~

16 SECTION 1. Article 7 (commencing with Section 21290) is
17 added to Chapter 1 of Division 11 of the Vehicle Code, to read:

1 Article 7. Operation of Medium-Speed Electric Vehicles

2
3 21290. For purposes of this article, a “medium-speed electric
4 vehicle” means a vehicle that has all of the following
5 characteristics:

6 ~~(a) Is capable of speeds of at least 30 miles per hour, but not~~
7 ~~more than 35 miles per hour.~~

8 ~~(b) Possesses a fully enclosed passenger compartment with rigid~~
9 ~~doors and safety windows.~~

10 *(a) Can attain a speed, in one mile, of more than 40 miles per*
11 *hour and not more than 45 miles per hour, on a paved level*
12 *surface.*

13 ~~(c)~~

14 *(b) Has a gross vehicle weight of no more than 3,000 pounds.*

15 ~~(d)~~

16 *(c) Is propelled solely by an electric motor.*

17 ~~(e)~~

18 *(d) Contains a vehicle identification number that meets*
19 *international standards.*

20 ~~(f) Meets or exceeds the requirements for safety equipment~~
21 ~~specified in Section 571.500 of Title 49 of the Code of Federal~~
22 ~~Regulations.~~

23 21291. *A medium speed electric vehicle shall satisfy all of the*
24 *following safety requirements:*

25 *(a) It shall possess a fully enclosed passenger compartment*
26 *with rigid doors and safety windows.*

27 *(b) It shall be equipped with a horn in good working condition*
28 *that is capable of emitting sound audible under normal conditions*
29 *from a distance of not less than 200 feet, but the horn shall not*
30 *emit an unreasonably loud or harsh sound.*

31 *(c) It shall meet the Federal Motor Vehicle Safety Standards*
32 *described in Sections 571.103, 571.104, 571.108, 571.111, 571.114,*
33 *571.135, 571.205, 571.206, 571.209, 571.216, and 571.305 of Title*
34 *49 of the Code of Federal Regulations.*

35 21292. (a) A medium-speed electric vehicle may be operated
36 at speeds of no more than ~~35~~ 45 miles per hour.

37 (b) A medium-speed electric vehicle may not be operated on a
38 roadway with a speed limit in excess of 45 miles per hour.

39 ~~21295. The driver of a medium-speed electric vehicle shall~~
40 ~~possesses a class A, class B, or class C driver’s license.~~

1 21295. *Except as provided in Sections 21115 and 21115.1, a*
2 *medium-speed electric vehicle is subject to all of the laws*
3 *applicable to a motor vehicle, and the driver of a medium-speed*
4 *electric vehicle is subject to all of the laws applicable to the driver*
5 *of a motor vehicle or other vehicle, when applicable, by this code*
6 *or another code, with the exception of those laws that, by their*
7 *very nature, can have no application.*

8 ~~SEC. 3.~~

9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.