

AMENDED IN ASSEMBLY APRIL 18, 2013

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 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 45 miles per hour on a roadway with a speed limit that does not exceed 45 miles per hour. 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. Article 7 (commencing with Section 21290) is
2 added to Chapter 1 of Division 11 of the Vehicle Code, to read:

3

4 Article 7. Operation of Medium-Speed Electric Vehicles

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6 21290. For purposes of this article, a “medium-speed electric
7 vehicle” means a vehicle that has all of the following
8 characteristics:

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

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

12 (c) Is propelled solely by an electric motor.

13 (d) Contains a vehicle identification number that meets
14 international standards.

15 21291. A medium-speed electric vehicle shall satisfy all of the
16 following safety requirements:

17 (a) It shall possess a fully enclosed passenger compartment with
18 rigid doors and safety windows.

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

23 (c) It shall meet *or exceed* the Federal Motor Vehicle Safety
24 Standards described in Sections 571.103, 571.104, 571.108,

1 571.111, 571.114, 571.135, 571.205, 571.206, 571.209, 571.216,
2 ~~and~~ 571.305, *and* 571.500, of Title 49 of the Code of Federal
3 Regulations.

4 21292. (a) A medium-speed electric vehicle may be operated
5 at speeds of no more than 45 miles per hour.

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

8 21295. Except as provided in Sections 21115 and 21115.1, a
9 medium-speed electric vehicle is subject to all of the laws
10 applicable to a motor vehicle, and the driver of a medium-speed
11 electric vehicle is subject to all of the laws applicable to the driver
12 of a motor vehicle or other vehicle, when applicable, by this code
13 or another code, with the exception of those laws that, by their
14 very nature, can have no application.

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