

2007 Senate Bill 186

Date of enactment: **November 16, 2007**

Date of publication*: **December 3, 2007**

2007 WISCONSIN ACT 33

AN ACT *to renumber and amend* 349.26 (1); *to amend* 285.30 (5) (c), 341.25 (title), 341.25 (1) (b), 341.297 (1), 342.14 (1r), 342.14 (3m) and 349.26 (2); and *to create* 285.30 (5) (k) and 349.26 (3) of the statutes; **relating to:** neighborhood electric vehicles.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 285.30 (5) (c) of the statutes is amended to read:

285.30 (5) (c) A motor vehicle exempt from registration under s. 341.05, except that a motor vehicle owned by the United States is not exempt unless it comes under par. (a), (b), (d), (e), (f), (g), (h), ~~or (j), or (k).~~

SECTION 2. 285.30 (5) (k) of the statutes is created to read:

285.30 (5) (k) A neighborhood electric vehicle, as defined in s. 340.01 (36r).

SECTION 3. 341.25 (title) of the statutes is amended to read:

341.25 (title) Annual and biennial registration fees; biennial motorcycle fees.

SECTION 4. 341.25 (1) (b) of the statutes is amended to read:

341.25 (1) (b) For each motorcycle or moped with a curb weight of 1,499 pounds or less, except a specially designed vehicle under s. 341.067, which is designed for the transportation of persons rather than property, and for each neighborhood electric vehicle, a biennial fee of \$23.

SECTION 5. 341.297 (1) of the statutes is amended to read:

341.297 (1) A motorcycle ~~or~~, moped, or neighborhood electric vehicle, as specified in s. 341.25 (1) (b).

SECTION 6. 342.14 (1r) of the statutes is amended to read:

342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental impact fee of \$9, by the person filing the application. All moneys collected under this subsection shall be credited to the environmental fund for environmental management. This subsection does not apply after December 31, 2007. This subsection does not apply to an application for a certificate of title for a neighborhood electric vehicle.

SECTION 7. 342.14 (3m) of the statutes is amended to read:

342.14 (3m) Upon filing an application under sub. (1) or (3), a supplemental title fee of \$7.50 by the owner of the vehicle, except that this fee shall be waived with respect to an application under sub. (3) for transfer of a decedent's interest in a vehicle to his or her surviving spouse. The fee specified under this subsection is in addition to any other fee specified in this section. This subsection does not apply to an application for a certificate of title for a neighborhood electric vehicle.

SECTION 8. 349.26 (1) of the statutes is renumbered 340.01 (36r) and amended to read:

* Section 991.11, WISCONSIN STATUTES 2005-06 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

340.01 (36r) In this section, "~~neighborhood~~ Neighborhood electric vehicle" means a self-propelled motor vehicle that ~~has successfully completed the neighborhood electric vehicle America test program conducted by the federal department of energy, is propelled by electric power~~ and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3 (b) and 571.500. "Neighborhood electric vehicle" does not include a golf cart.

SECTION 9. 349.26 (2) of the statutes is amended to read:

349.26 (2) ~~The~~ Subject to sub. (3), the governing body of any city, town, or village may by ordinance allow the use of a neighborhood electric vehicle on a roadway that has a speed limit of 35 miles per hour or less and over which the governing body city, town, or village has jurisdiction. ~~A city, town, or village that passes an ordinance under this section shall enter into an agreement with, or obtain the consent of, each governing body that shares jurisdiction over a roadway within the city, town, or village, to permit neighborhood electric vehicles to use or cross the roadway. An ordinance passed under this section may contain a provision for the city, town, or village to license neighborhood electric vehicles that are used within the city, town, or village limits.~~

SECTION 10. 349.26 (3) of the statutes is created to read:

349.26 (3) (a) An ordinance under sub. (2) may apply to a connecting highway, or to an intersection where the roadway crosses a state trunk highway, within the city, town, or village only if all of the following apply:

1. The city, town, or village provides written notice to the department of the ordinance, including identification of any connecting highway or state trunk highway intersection to which the ordinance will apply.

2. Within 21 days of receiving the notice under subd. 1., the department has provided written or oral consent to the use of neighborhood electric vehicles on the connecting highway or through the intersection crossing the state trunk highway or has failed to object to the use of neighborhood electric vehicles on the connecting highway or through the intersection crossing the state trunk highway.

(b) If the department makes a timely objection under par. (a) 2., no ordinance enacted under this section is valid for that connecting highway or that intersection crossing the state trunk highway.

SECTION 11. Nonstatutory provisions.

(1) Notwithstanding section 341.25 of the statutes, as affected by this act, and section 341.31 of the statutes, if a person has licensed, prior to the effective date of this subsection, any neighborhood electric vehicle in accordance with an ordinance enacted by a city, town, or village providing for such licensing, the person may register any such neighborhood electric vehicle with the department of transportation at no additional fee for the vehicle's entire initial registration period if the city, town, or village license is valid at the time that the person applies for registration with the department of transportation and if the person applies for registration within 2 years after the effective date of this subsection. The 2-year initial registration period for the neighborhood electric vehicle shall commence from the date that the certificate of registration is issued.