

2009 DRAFTING REQUEST

Bill

Received: **07/01/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Alvin Ott (608) 266-5831**

By/Representing: **Erin Ruby**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**
Transportation - traffic laws

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Ott@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Neighborhood electric vehicles on county trunk highways, with county approval

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	agary 07/07/2009	nmatzke 07/20/2009	rschluet 07/20/2009	_____	mbarman 07/20/2009		S&L
/1	agary 07/30/2009	jdyer 07/30/2009	mduchek 07/30/2009	_____	cduerst 07/30/2009	sbasford 07/31/2009	

FE Sent For:

at intro
8/28

2009 DRAFTING REQUEST

Bill

Received: **07/01/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Alvin Ott (608) 266-5831**

By/Representing: **Erin Ruby**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**
Transportation - traffic laws

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Ott@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Neighborhood electric vehicles on county trunk highways, with county approval

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	agary 07/07/2009	nmatzke 07/20/2009	rschluet 07/20/2009	_____	mbarman 07/20/2009		S&L
/1	agary 07/30/2009	jdyer 07/30/2009	mduchek 07/30/2009	_____	cduerst 07/30/2009		

FE Sent For:

2009 DRAFTING REQUEST

Bill

Received: **07/01/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Alvin Ott (608) 266-5831**

By/Representing: **Erin Ruby**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**
Transportation - traffic laws

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Ott@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Neighborhood electric vehicles on county trunk highways, with county approval

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?		17/30 jld	7/30 MD				S&L
/P1	agary 07/07/2009	nmatzke 07/20/2009	rschluet 07/20/2009		mbarman 07/20/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: 07/01/2009

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Alvin Ott (608) 266-5831

By/Representing: Erin Ruby

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**
Transportation - traffic laws

Extra Copies: **EVM**

Submit via email: YES

Requester's email: **Rep.Ott@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given


Topic:

Neighborhood electric vehicles on county trunk highways, with county approval

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary	/Pl nwn 7/17		_____			S&L

FE Sent For:

<END>

ARG


Bill Draft Request

Date: 6-30-09

Legislator Requesting Draft: Rep. Al Ott

Person Submitting Request: Erin Ruby – Research Assistant

Person to Contact with Questions: Erin Ruby (6-5831)

Drafting Request:

Rep. Ott would like two separate bills drafted relating to s. 349.26 (Authority to Allow the Operation of Neighborhood Electric Vehicles).

(1) Give cities, villages and towns the ability to authorize NEV use on those county highways within their boundaries.

*“(2) 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 city, town, or village has jurisdiction, **including county trunk highways located within the boundaries of the city, town or village.**”*

↗ (2) Require cities, villages and towns to request permission from the county for NEV use on county highways, similar to the requirement for use on state highways.

Feel free to contact our office with any questions.

Thank you!



500w

in
7/7

D. Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
X-ref ✓

Gen.

1 AN ACT ...; relating to: the operation of neighborhood electric vehicles on county
2 trunk highways. ✓

Analysis by the Legislative Reference Bureau

Under current law, a "neighborhood electric vehicle" (NEV) is a motor vehicle that is propelled by electric power and that meets certain standards for low-speed vehicles under federal law, but does not include a golf cart. ✓ A municipality may, by ordinance, allow the use of NEVs on roadways under its jurisdiction that have a speed limit of 35 miles per hour or less. ✓ However, a municipal ordinance may not allow the use of NEVs on connecting highways within the municipality, or where the municipality's roadways cross state trunk highways, unless all of the following apply: ✓ 1) the municipality provides written notice to the Department of Transportation (DOT) of the ordinance, including identification of any connecting highway or state trunk highway intersection to which the ordinance will apply; and ✓ 2) within 21 days of receiving this notice, DOT consents or fails to object to the use of NEVs on the connecting highway or through the intersection crossing the state trunk highway. ✓

This bill expands municipal authority to allow operation of NEVs on roadways within the municipality. ✓ Under the bill, a municipal ordinance may allow the use of NEVs on county trunk highways located within the municipality's territorial boundaries if all of the following apply: ✓ 1) the municipality provides written notice of the ordinance to the governing body of the county having jurisdiction over the highway, including identification of any county trunk highway to which the ordinance will apply; ✓ and 2) within 21 days of receiving this notice, the governing

body of the county, or the county highway commissioner or county highway committee if designated by the governing body of the county to act on its behalf, consents or fails to object to the use of NEVs on the county trunk highway.✓

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 SECTION 1. ^X 349.26 (2) of the statutes is amended to read:

2 349.26 (2) Subject to ~~sub.~~ ^{sub.} (3) ^{and (4)}, the governing body of any city, town,
3 or village may by ordinance allow the use of a neighborhood electric vehicle on a
4 roadway that has a speed limit of 35 miles per hour or less and ~~over which~~ that either
5 is under the jurisdiction of the city, town, or village ~~has jurisdiction or is a county~~
6 trunk highway located within the territorial boundaries of the city, town, or village.

7 SECTION 2. ^{X^} 349.26 (4) of the statutes is created to read:

8 349.26 (4) (a) An ordinance under sub. (2) ^{may} apply to a county trunk highway
9 within the city, town, or village only if all of the following apply:

10 1. The city, town, or village provides written notice of the ordinance to the
11 governing body of the county having jurisdiction over the highway, including
12 identification of any county trunk highway to which the ordinance will apply.✓

13 2. Within 21 days of receiving the notice under subd. 1., ^{the} governing body of
14 the county, or the county highway commissioner[✓] or county highway committee[✓] if
15 designated by the governing body of the county[✓] to act on its behalf, has provided
16 written or oral consent to the use of neighborhood electric vehicles on the county
17 trunk highway or has failed to object to the use of neighborhood electric vehicles on
18 the county trunk highway.✓

1 (b) If the governing body of the county, or the county highway commissioner or
2 county highway committee if designated by the governing body of the county to act
3 on its behalf, makes a timely objection under par. (a) 2.,[✓] no ordinance enacted under
4 this section is valid for that county trunk highway.[✓]

5

(END)

D. Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3067/P1dn

ARG:f:...

nwn

Date

ATTN: Erin Ruby

Please review the attached draft carefully to ensure that it is consistent with your intent.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3067/P1dn
ARG:nwn:rs

July 20, 2009

ATTN: Erin Ruby

Please review the attached draft carefully to ensure that it is consistent with your intent.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-3067/EX 1
ARG:mnw/rs

7/30
TODAY

stay:
KMR

7/30 - Mc of Erin, wants / /

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

No changes

x

Reger

1 AN ACT *to amend* 349.26 (2); and *to create* 349.26 (4) of the statutes; **relating**
2 **to:** the operation of neighborhood electric vehicles on county trunk highways. ✓

Analysis by the Legislative Reference Bureau

Under current law, a "neighborhood electric vehicle" (NEV) is a motor vehicle that is propelled by electric power and that meets certain standards for low-speed vehicles under federal law, but does not include a golf cart. A municipality may, by ordinance, allow the use of NEVs on roadways under its jurisdiction that have a speed limit of 35 miles per hour or less. However, a municipal ordinance may not allow the use of NEVs on connecting highways within the municipality, or where the municipality's roadways cross state trunk highways, unless all of the following apply: 1) the municipality provides written notice to the Department of Transportation (DOT) of the ordinance, including identification of any connecting highway or state trunk highway intersection to which the ordinance will apply; and 2) within 21 days of receiving this notice, DOT consents or fails to object to the use of NEVs on the connecting highway or through the intersection crossing the state trunk highway.

This bill expands municipal authority to allow operation of NEVs on roadways within the municipality. Under the bill, a municipal ordinance may allow the use of NEVs on county trunk highways located within the municipality's territorial boundaries if all of the following apply: 1) the municipality provides written notice of the ordinance to the governing body of the county having jurisdiction over the highway, including identification of any county trunk highway to which the ordinance will apply; and 2) within 21 days of receiving this notice, the governing

body of the county, or the county highway commissioner or county highway committee if designated by the governing body of the county to act on its behalf, consents or fails to object to the use of NEVs on the county trunk highway.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 349.26 (2) of the statutes is amended to read:

2 349.26 (2) Subject to ~~sub.~~ subs. (3) and (4), the governing body of any city, town,
3 or village may by ordinance allow the use of a neighborhood electric vehicle on a
4 roadway that has a speed limit of 35 miles per hour or less and ~~over which~~ that either
5 is under the jurisdiction of the city, town, or village ~~has jurisdiction~~ or is a county
6 trunk highway located within the territorial boundaries of the city, town, or village.

7 **SECTION 2.** 349.26 (4) of the statutes is created to read:

8 349.26 (4) (a) An ordinance under sub. (2) may apply to a county trunk highway
9 within the city, town, or village only if all of the following apply:

10 1. The city, town, or village provides written notice of the ordinance to the
11 governing body of the county having jurisdiction over the highway, including
12 identification of any county trunk highway to which the ordinance will apply.

13 2. Within 21 days of receiving the notice under subd. 1., the governing body of
14 the county, or the county highway commissioner or county highway committee if
15 designated by the governing body of the county to act on its behalf, has provided
16 written or oral consent to the use of neighborhood electric vehicles on the county
17 trunk highway or has failed to object to the use of neighborhood electric vehicles on
18 the county trunk highway.

Basford, Sarah

From: Ruby, Erin
Sent: Thursday, July 30, 2009 1:20 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-3067/1 Topic: Neighborhood electric vehicles on county trunk highways, with county approval

Please Jacket LRB 09-3067/1 for the ASSEMBLY.