

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

Creating Section 12.792 entitled "Neighborhood Electric Vehicles Allowed" to permit and regulate the operation of such vehicles on Madison streets and amending Section 1.08(3)(a) to establish a bail deposit amount for violations of the section.

PRESENTED August 1, 2006

REFERRED Public Safety Review Board; Pedestrian/Bicycle/Motor Vehicle Commission; Municipal Judge (To review bail deposit amounts)

RULES SUSPENSION _____

PUBLIC HEARING _____

Drafted by: Steven Brist

Date: August 1, 2006

SPONSORS: Ald. King

DRAFTER'S ANALYSIS: This ordinance will permit the operation of neighborhood electric vehicles on Madison streets. The City was granted authority to permit the operation of neighborhood electric vehicles by 2005 Wisconsin Act 329. The Act defines "neighborhood electric vehicle" as a self-propelled motor vehicle that meets the definition and safety standards for low-speed vehicles under federal law and that has completed a specified test program of the federal Department of Energy. The term does not include golf carts.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 12.792 entitled "Neighborhood Electric Vehicles Allowed" of the Madison General Ordinances is created to read as follows:

"12.792 NEIGHBORHOOD ELECTRIC VEHICLES ALLOWED.

- (1) Definition. "Neighborhood Electric Vehicle" means a vehicle subject to Sec. 349.26 (1), Wis. Stats.
(2) Operation. A neighborhood electric vehicle may be operated only on a roadway for which the speed limit is 35 miles per hour or less.
(3) Registration and Licensing of Neighborhood Electric Vehicles. No person shall operate a neighborhood electric vehicle upon any public way within the City of Madison unless said neighborhood electric vehicle shall have been properly registered by the City of Madison as herein provided.
(4) Registration Form. Every owner or operator of any neighborhood electric vehicle within the City of Madison shall, prior to operating such vehicle in the City of Madison, file with the Director of Transportation or her/his designee a complete description including make, model, color, serial number and additional information as required and name and address of purchaser of such neighborhood electric vehicle, upon a form to be provided for that purpose.
(a) Neighborhood electric vehicle serial number.
(b) Registration sticker or decal number.
(c) Name of owner.

Approved as to form:

- (d) Sticker or Decal. Immediately upon the registration of a neighborhood electric vehicle, the registrar shall issue to the owner of such neighborhood electric vehicle a serially numbered sticker or decal to indicate the period of registration. Such sticker or decal shall be affixed to the neighborhood electric vehicle so that it is plainly visible and shall be kept reasonably clean at all times. It shall thereafter remain affixed to such neighborhood electric vehicle until the expiration or the cancellation of the registration. A fee of ten dollars (\$10.00) shall be charged for the registration of any neighborhood electric vehicle under this ordinance. No person shall willfully remove, deface or destroy any such sticker or decal.
- (e) Expiration of Registration. Neighborhood electric vehicles shall be registered every three years. Registration of neighborhood electric vehicles shall be effective until May 15 of the calendar year after the year of registration.
- (f) Lost Registration Stickers or Decals and Ownership Transfer. In case of theft or loss of decal or sticker, a new decal or sticker shall be obtained. Upon the sale or transfer of a registered neighborhood electric vehicle, the new owner shall report the sale or transfer to the Chief of Police, indicating her/his name and address as well as the name and address of the person from whom the neighborhood electric vehicle was acquired.
- (g) Notification of Change in Address. Whenever the owner of a registered neighborhood electric vehicle moves or changes address, s/he shall notify the Chief of Police in writing of the new address within ten (10) days.
- (h) Neighborhood Electric Vehicle To Be In Safe Mechanical Condition. The Chief of Police or her/his designee shall refuse to register or shall suspend the registration of any neighborhood electric vehicle found to be in unsafe mechanical condition or not equipped or registered as herein required until proof is given that the defect or defects are corrected.
- (5) Agreements for Shared Jurisdiction Roadways. Pursuant to Sec. 349.26(2), Wis. Stats., the City of Madison shall enter into agreements with, or obtain the consent of, each governing body that shares jurisdiction over a roadway within the City of Madison, to permit neighborhood electric vehicles to use or cross the roadway.
- (6) Any person violating any provision of Section 12.792 may be required to forfeit not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00)."

3. Subdivision (a) of Subsection (3) entitled "Schedule of Deposits" of Section 1.08 entitled "Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended by adding therein the following:

<u>"Offense</u>	<u>Ord. No.</u>	<u>Deposit</u>
Operating a neighborhood electric vehicle on illegal roadway	12.792(2)	\$50
Operating a neighborhood electric vehicle without a permit	12.79(3)	\$50"

EDITOR'S NOTE: New or amended bail deposits must be approved by the Municipal Judge prior to adoption. These deposits are pending his review.