

ORDINANCE NO. 1

AN ORDINANCE TO AMEND ORDINANCE NO. 1 TO REGULATE THE USE OF NEIGHBORHOOD ELECTRIC VEHICLES IN THE TOWN OF OAKLAND

Section Five of Ordinance No. 1 shall be created to read as follows:

Section Five

- A. Definition. "Neighborhood Electric Vehicle (NEV)" means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the Federal Department of Energy 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 DFR 571.3(b) and 571.500.
- B. General Provisions.
1. NEVs shall be four-wheeled and have a speed range of at least twenty (20) miles per hour and no more than twenty-five (25) miles per hour on a paved surface and have a gross vehicle weight at rest of less than two thousand five hundred (2,500) pounds. NEV does not include an electric golf cart and shall have:
 - a. Headlamps;
 - b. Front and rear turn signals;
 - c. Stop lamps;
 - d. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear;
 - e. An exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror;
 - f. Parking brake;
 - g. A windshield that conforms to the requirements of the Federal Motor Vehicle Safety Standard on Glazing Materials (49 CFR 571.205);
 - h. A vehicle identification number (VIN) that complies with federal law (49 CFR 565);
 - i. A Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.209, and Federal Motor Safety Standard No. 209, for each designated seating position; and
 - j. Meets the general test conditions under 49 CRF 571.50056.
 2. Permitted Users of Neighborhood Electric Vehicles. To use an NEV on city streets as set forth in subsection B. 1, above, the individual must have a valid Wisconsin Driver's license.
 3. Permitted Use of Neighborhood Electric Vehicles on Town Streets. A licensed individual may operate a NEV on the streets of the Town of Oakland having a posted speed limit of thirty-five (35) miles per hour or less and headlamps must be on during operation. NEVs are not permitted on state trunk highways. They may cross state trunk highways only at intersections where the posted speed limit is thirty-five (35) miles per hour or less.

4. Operation of Neighborhood Electric Vehicles. The operation of NEVs as permitted herein shall in all respects be in compliance with Ordinance #1 of the Town of Oakland Code of Ordinances.

5. License. The NEV must be licensed by the Wisconsin Department of Transportation.

6. Enforcement. Enforcement of this section shall be pursuant to Section Four of Ordinance No. 1 of the Town of Oakland Code of Ordinances.

7. Violation-Penalty. Penalty for violation of any provision of Section 5 of Ordinance No. 1 shall be provided in Section Three of Ordinance No.1, together with the costs of prosecution and applicable penalty assessment.

C. Effective Date. This Ordinance shall be in force and effect from and after its passage and publication as by law.

INTRODUCED AND ADOPTED by the Town Board of the Town of Oakland at a regular meeting held on the _____ day of _____, 2009.

Town Chairperson

Supervisor

Supervisor

Attest: _____

Town Clerk

Ayes: _____ Noes: _____

Published: _____

Posted: _____