

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

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LLS NO. 12-0152.01 Chuck Brackney x2295

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

SHORT TITLE: "Low-speed Electric Vehicles"

A BILL FOR AN ACT

101 **CONCERNING LOW-SPEED ELECTRIC VEHICLES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Transportation Legislation Review Committee. The bill allows local governments to permit the operation of low-speed electric vehicles on local streets at speeds up to 40 miles per hour. The bill also repeals the authority of local governments to allow the operation of golf cars on local roadways. The bill specifies that the term "low-speed electric vehicles" does not include full-speed electric vehicles.

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend**
3 (48.6); and **repeal** (39.5) as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
5 unless the context otherwise requires:

6 (39.5) ~~"Golf car" means a self-propelled vehicle not designed~~
7 ~~primarily for operation on roadways and that has:~~

8 ~~(a) A design speed of less than twenty miles per hour;~~

9 ~~(b) At least three wheels in contact with the ground;~~

10 ~~(c) An empty weight of not more than one thousand three hundred~~
11 ~~pounds; and~~

12 ~~(d) A carrying capacity of not more than four persons.~~

13 (48.6) (a) "Low-speed electric vehicle" means a vehicle that:

14 (I) Is self-propelled utilizing electricity as its primary propulsion
15 method;

16 (II) Has at least three wheels in contact with the ground;

17 (III) Does not use handlebars to steer; and

18 (IV) Exhibits the manufacturer's compliance with 49 CFR 565 or
19 displays a seventeen-character vehicle identification number as provided
20 in 49 CFR 565.

21 (b) "LOW-SPEED ELECTRIC VEHICLE" DOES NOT MEAN A
22 FULL-SPEED ELECTRIC VEHICLE.

23 **SECTION 2.** In Colorado Revised Statutes, 42-4-109.5, **amend**
24 (1) as follows:

25 **42-4-109.5. Low-speed electric vehicles.** (1) (a) A low-speed
26 electric vehicle may be operated only on a roadway that has a speed limit
27 equal to or less than thirty-five miles per hour; except that it may be

1 operated to directly cross a roadway that has a speed limit greater than
2 thirty-five miles per hour at an at-grade crossing to continue traveling
3 along a roadway with a speed limit equal to or less than thirty-five miles
4 per hour.

5 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1),
6 LOCAL AUTHORITIES MAY AUTHORIZE THE OPERATION OF LOW-SPEED
7 ELECTRIC VEHICLES ON SPECIFIED LIMITED SECTIONS OF HIGHWAYS AT A
8 SPEED UP TO FORTY MILES PER HOUR; EXCEPT THAT THIS PARAGRAPH (b)
9 DOES NOT APPLY TO LIMITED-ACCESS HIGHWAYS.

10 **SECTION 3.** In Colorado Revised Statutes, 42-4-111, **repeal** (1)
11 (bb) as follows:

12 **42-4-111. Powers of local authorities.** (1) This article shall not
13 be deemed to prevent local authorities, with respect to streets and
14 highways under their jurisdiction and within the reasonable exercise of
15 the police power, except those streets and highways that are parts of the
16 state highway system that are subject to section 43-2-135, C.R.S., from:

17 ~~(bb) Authorizing and regulating the operation of golf cars on~~
18 ~~roadways by resolution or ordinance of the governing body, if the~~
19 ~~authorization or regulation is consistent with this title and does not~~
20 ~~authorize:~~

21 ~~(I) An unlicensed driver of a golf car to carry a passenger who is~~
22 ~~under twenty-one years of age;~~

23 ~~(H) Operation of a golf car by a person under fourteen years of~~
24 ~~age; or~~

25 ~~(HH) Operation of a golf car on a state highway.~~

26 **SECTION 4. Safety clause.** The general assembly hereby finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, and safety.