

ORDINANCE NO. 2008-14

An Ordinance Permitting Neighborhood Electric Vehicles (NEVs) on City Streets

The Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:

SECTION 1. Section 10-6-1 of the Code of Ordinances of the City of Cedarburg entitled “Neighborhood Electric Vehicles” is hereby created as follows.

SEC. 10-6-1 NEIGHBORHOOD ELECTRIC VEHICLES

- (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 CFR 571.3(b) and 571.500. Electric golf carts are excluded from the definition of an NEV.
- (b) **STANDARDS.** NEVs shall have 4-wheels, shall have a speed range of at least 20 miles per hour but not greater than 25 miles per hours on paved surfaces; and shall have a gross vehicle weight at rest of less than 3,000 pounds. NEVs shall meet the general test conditions under 49 CFR 571.50056, and shall have all of the following items of equipment:
- (1) Headlamps;
 - (2) Front and rear turn signals
 - (3) Stop lamps;
 - (4) Reflex reflectors; one red on each side as far to the rear as practicable, and one red on the rear;
 - (5) An exterior mirror mounted on the driver’s side and either an exterior mirror on the passenger side or an interior rearview mirror;
 - (6) Parking brake;
 - (7) A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205);
 - (8) A vehicle identification number (VIN) that complies with Federal law (49 CFR 565);
 - (9) 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.
- (c) **PERMITTED USERS OF NEIGHBORHOOD ELECTRIC VEHICLES.** To use a NEV on the streets of the City of Cedarburg the operator must possess a valid Wisconsin driver’s license.
- (d) **PERMITTED USE OF NEIGHBORHOOD ELECTRIC VEHICLES ON CITY STREETS.** A licensed individual may operate a NEV on the streets of the City of Cedarburg having a posted speed limit of 35 miles per hour or less, and the headlamps must be on during operation. The use of an NEV is not permitted on a

State Highway.

- (e) **OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES.** The operation of NEVs as permitted herein shall in all respects be in compliance with the City of Cedarburg Code of Ordinances and all State of Wisconsin laws.

SECTION 2. This ordinance shall take effect upon its passage and publication as provided by law.

Passed and adopted this 9th day of September, 2008.

Gregory P. Myers, Mayor

Countersigned:

Constance K. McHugh, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney