

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

05 Wis. Act 329, s. 1 - Section 1. 349.26 of the statutes is created to read:

05 Wis. Act 329, s. 1 - continued

349.26 Authority to allow the operation of neighborhood electric vehicles. (1) In this section, "neighborhood electric vehicle" 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. "Neighborhood electric vehicle" does not include a golf cart.

05 Wis. Act 329, s. 1 - continued

(2) 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 governing body has jurisdiction. A city, town, or village that passes an ordinance under this section shall enter into an agreement with, or obtain the consent of, each governing body that shares jurisdiction over a roadway within the city, town, or village, to permit neighborhood electric vehicles to use or cross the roadway. An ordinance passed under this section may contain a provision for the city, town, or village to license neighborhood electric vehicles that are used within the city, town, or village limits.

ORDINANCE NO. OR07-____
AN ORDINANCE AMENDING THE MUNICIPAL CODE,
CHAPTER 97, TRAFFIC AND VEHICLES
ARTICLE IV, PLAY VEHICLES,
SECTION 97-392, OPERATION RESTRICTED,
AS IT RELATES TO THE OPERATIONS OF PLAY VEHICLES IN THE
CITY OF BRILLION, CALUMET COUNTY, WISCONSIN

97-392 The City of Brillion will allow the use of a "neighborhood electric vehicle" within the City limits of Brillion under the following conditions only.

- (a) On a street which has a speed limit of 35 miles per hour or less. (Ref. by State Statute)
- (b) Vehicles that have not been modified from the original manufacturer's condition
- (c) Vehicles are being operated by a licensed driver capable of properly controlling the vehicle and not simply under adult supervision.
- (d) Modifications to vehicles:

The only modifications allowed to any "neighborhood electric vehicle" may be the replacement of (OEM) original manufacturer parts or the equivalent. However, the attachment of lights for night time use will be allowed.

"Neighborhood electric vehicle" 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 49 CFR 571.3 (b) and 571.500

- (e) Neighborhood Electric vehicles are motor vehicles designed to operate on a street. They have all equipment necessary to be classified as a motor vehicle and as such may only be operated by license drivers under all conditions and requirements of standard motor vehicles.

Exception: Neighborhood electric vehicles are not designed to operate upon an open highway where speeds are in excess of 35 MPH.

- (f) Registration: Neighborhood electric vehicles are not required to be registered to operate upon a highway by the State of Wisconsin; however, these vehicles are required to obtain a City of Brillion registration.

(1) **Registration** – In addition to any other registration requirements that may be imposed by the State, an annual Municipal use permit is required to operate any Neighborhood Electric vehicle upon City streets or other City property, within the City limits. The fee for this permit shall be reviewed annually and published by the City Clerk. and published by the City Clerk on the City web site www.ci.brillion.wi.us and in the Brillion News.

(a) The annual permit shall be valid from May 1st. through April 31st. of each consecutive year.

(b) The permit fee for the 2007 season shall be \$25.00

SECTION VII – SERVABILITY

The provision of this ordinance shall be deemed servable and it is expressly declared that the City would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

SECTION VIII – EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as required by law.

Ordinance Number OR07- ____ introduced and its adoption moved by Alderperson _____; and seconded by Alderperson _____.

Upon a pole vote thereon, the result was as follows:

____ Votes Cast
____ Votes Yes
____ Votes No

The Mayor declared Ordinance Number OR07- ____ adopted, approved and signed the same this ____ day of _____, 2007.

Gerald Sonnabend, Mayor

Attested:

Lori M. Gosz, City Clerk/Treasurer