

SECTION 3.07
OF THE MUNICIPAL CODE OF THE TOWN OF SHEBOYGAN
PERMITTING NEIGHBORHOOD ELECTRIC VEHICLES (NEVs)

WHEREAS, Wis. Stat. § 349.26 grants the Town authority to allow the operation of neighborhood electric vehicles (NEVs); and

WHEREAS, the Town Board of the Town of Sheboygan has determined that it is in the best interest of the Town and its drivers to allow the operation of NEVs;

WHEREAS, the Town Board has further determined that the regulation of NEVs is necessary to promote the health, safety, and general welfare of drivers in the Town of Sheboygan.

NOW, THEREFORE, the Town Board of the Town of Sheboygan does ordain as follows:

Section 1. **Creating Code.** Section 3.07 of the Municipal Code of the Town of Sheboygan is hereby created to read as follows:

“3.07 Neighborhood Electric Vehicles Permitted –

- (1) Definitions –
 - (a) “Neighborhood Electric Vehicles: (“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 C.F.R. §§ 571.3(b) and 571.500.
 - (b) NEVs are self-propelled by electric power, have a top speed of more than 20 miles per hour but not more than 25 miles per hour on a paved level surface, and have a gross vehicle weight at rest of less than 3,000 pounds. NEV does not include an electric golf cart and shall have:
 1. Four wheels;
 2. Headlamps;
 3. Front and rear turn signals;
 4. Stop lamps;
 5. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear;
 6. An exterior mirror mounted on the driver’s side and either an exterior mirror on the passenger side or an interior rearview mirror;
 7. Parking brake;
 8. A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 C.F.R. § 571.205);
 9. A Vehicle Identification Number (VIN) that complies with federal law (49 C.F.R. § 565);
 10. A Type 1 or Type 2 seatbelt assembly conforming to 49 C.F.R. § 571.209, and Federal Motor Safety Standard No. 209, for each designated seating position; and
 11. Meets the general test conditions under 49 C.F.R. § 571.500.
- (2) Permitted Users of Neighborhood Electric Vehicles –

To use an NEV on Town roads as set forth in (3) below, the individual must have a valid state issued driver’s license.
- (3) Permitted Use of Neighborhood Electric Vehicles on Town Roads –

A licensed individual may operate an NEV on the roadways of the Town of Sheboygan having a posted speed limit of 35 miles per hour or less and headlamps must be on during operation.
- (4) Operation of Neighborhood Electric Vehicles –

The operation of NEVs as permitted herein shall in all respects be in compliance with all traffic statutes and ordinances applicable to vehicles traveling upon the roadways of the Town of Sheboygan.

- (5) Title and Registration –
When operated on Town roads, an NEV must be titled and registered through the Wisconsin Department of Transportation (WDOT), Division of Motor Vehicles (DMV).
- (6) Penalty –
Any person violating this section shall, upon conviction thereof, forfeit \$60.00, plus all costs and assessments."

Section 2. **Effective Date.** This Ordinance shall take effect upon enactment and posting, as required by law.

Enacted this 21st day of April 2009.

TOWN OF SHEBOYGAN

By Daniel W. Chairperson

I hereby certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Sheboygan on the date indicated above.

CATHY CONRAD, Town Clerk

Dated: April 21st, 2009.

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