

Chapter 10.17

Neighborhood Electric Vehicles

Sections:

10.17.010 Neighborhood Electric Vehicles (NEV) defined

10.17.012 NEV Standards

10.17.020 Golf Carts defined

10.17.021 Golf Cart Standards

10.17.022 Golf Cart Permits

10.17.030 Proof of Liability Insurance

10.17.050 NEV and Golf Cart Operation Regulations

10.17.060 Operation on village streets, alleys, and sidewalks

10.17.070 Operation on private property

10.17.080 State NEV laws adopted

10.17.090 Penalty for violation

10.17.010 Neighborhood Electric Vehicles (NEV) defined

“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 CFR 572.3(b) and 571.500. “NEV” does not include an electric golf cart.

10.17.012 NEV Standards

A. NEV/LSV’s shall be 4-wheeled and have a maximum speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and shall have a gross vehicle weight at rest of less than 3,000 pounds.

B. NEV/LSV’s 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); and
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.

10.17.020 Golf Carts defined

Golf Cart is defined as a motorized vehicle with four (4) wheels that is not designed to be operated at a speed of more than twenty-five (25) miles per hour. Said Golf Cart is generally designed to carry four (4) persons including the driver.

10.17.021 Golf Cart Standards

Each Golf Cart shall be equipped with the following before operating on any street within the village limits.

1. Brakes
2. Headlights
3. Taillights
4. Rear View Mirror
5. Slow Moving Vehicle Sign
6. Safety flag on a staff holder to put such flag at least eight (8) feet above the road surface.

10.17.022 Golf Cart Permits:

The permit, notwithstanding the date of purchase, shall be valid only from April 1st to November 1st during the calendar year. Unless previously revoked within the one-year period, permits may be issued by the Village Clerk or Village Chief of Police to owners upon:

1. Completion of an application form; and,
2. Payment of a permit fee of \$25; and
3. Proof of valid Driver's License; and
4. Proof of Insurance

The Village Chief may grant an exception to the Ordinance and allow any type of Golf Cart to be used on any Village street by community and/or civic organization for community events. Said exemption shall be in writing.

10.17.030 Proof of Liability Insurance for NEV/Golf Cart:

NEV/Golf Cart must have Certificate of insurance in effect that covers the NEV/Golf Cart and meets minimum required coverage. Operator/owner must show proof of insurance coverage upon demand from any traffic officer. Certificate of insurance must show listing Company, policy term and minimum limits of liability of \$1000,000 per person, \$300,000 per accident and \$5,000 medical before a permit will be issued.

10.17.050 NEV and Golf Cart Operation Regulations:

A. Each operator of a NEV and/or Golf Cart shall comply with the following:

1. Each operator of a NEV/Golf Cart must 16 years of age, have a valid Driver's License, and ATV/UTV Safety Certificate

1. Safety certificate

1. No person who is at least 12 years of age and who is born on or after January 1, 1988, may operate an all-terrain vehicle unless he or she holds a valid safety certificate

issued by the department, another state, or a province of Canada.

1m. No person who is at least 12 years of age and who is born on or after January 1, 1988, may operate a utility terrain vehicle unless he or she holds a valid safety certificate issued by the department, another state, or a province of Canada.

2. Any person who is required to hold an all-terrain vehicle or utility terrain vehicle safety certificate while operating an all-terrain vehicle or utility terrain vehicle shall carry proof that the person holds a valid safety certificate and shall display this proof to a law enforcement officer on request.

3. Persons enrolled in a safety certification program approved by the department may operate an all-terrain vehicle or utility terrain vehicle in an area designated by the instructor.

2. Operator of NEV shall be licensed by the State of Wisconsin Department of Transportation accordance with section 341.297, WI Statutes and the license shall be issued to the owner of the vehicle. License shall be displayed per Wisconsin licensing regulations.

3. Operator of Golf Cart shall display the Village of Oakfield permit sticker(s).

4. All riders must remain seated when NEV/Golf Cart is in motion.

5. Number of occupants shall comply with seat belt regulations if said NEV/Golf Cart was originally equipped with seat belts.

6. NEV/Golf Carts may be operated on Village streets between April 1 and November 1 between the hours of 11pm and 7am.

7. NEV/Golf Cart headlamps must be on during operation.

8. NEV/Golf Carts may not be operated on Village streets during inclement weather

such as rain snow, fog or when visibility may be 500 feet or less.

9. No NEV/Golf Cart shall exceed the posted 25 speed limit.

10. NEV/Golf Carts shall operate in single file on the far right side of the roadway.

11. No item can be towed by a NEV/Golf Cart.

12. No operator/person shall leave or allow any NEV/Golf Carts owned or operated by him/her to remain unattended on any public street or public property while the motor is running or with starting key left in the ignition.

13. Each NEV/ Golf Cart shall be operated in compliance with the Village Motor Vehicle Conduct Ordinance.

14. Ordinance with penalties as provided in Village Ordinance 10.04.010 – 10.24.020 or all appropriate Wisconsin Statutes.

10.17.60 Operation on village streets, alleys, and sidewalks

Define: “Village” means the Village of Oakfield, a Wisconsin municipal corporation. All references to the Village in this ordinance shall apply only within the jurisdictional limits of the Village of Oakfield, and the Village makes no attempt to exercise authority outside the jurisdictional limits of the Village of Oakfield.

NEV’s, authorized pursuant to Wisconsin Statutes Section 349.26 and this Village Ordinance 10.17 in respect to Golf Carts, shall be allowed to operate on any public street, parking lot, or alley within the Village of Oakfield subject to the following restrictions:

A. A NEV shall not operate on the Wild Goose Trail or on any pedestrian path within the Village of Oakfield.

B. A NEV shall not travel off the paved parking lot at the Village Park or on paved walking path to Avoca Park.

C. Golf Cart/NEV operations are at the risk of the operator. The Village of Oakfield has no liability for any damage or injury to persons, real property or personal property, arising out of the operation of Golf Cart/NEV on designated routes.

D. No Golf Cart/NEV operator or passenger are allowed open alcoholic containers while operating on Village streets. No person shall operate an Golf Cart/NEV while under the influence of an intoxicant, a restricted controlled substance, a controlled substance analog, or any combination of these elements, to a degree which renders the person incapable of safely operating the Golf Cart/NEV.

10.17.070 Operation on private property

No person shall operate a NEV or Golf Cart on any private property, other than property owned by the operator, without the consent of the property owner.

10.17.090 Penalty for violation

Violation of this NEV/Golf Cart Ordinance or the Wisconsin traffic laws is punishable by any or all of the following:

1. Loss of operator’s permit for a period of one (1) year
2. As provided in Village Ordinance Section 120 (General Penalty), Village Traffic Ordinance 10.24.01 and/or as provided in Wisconsin Statutes.