

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 12-0152.01 Chuck Brackney

SENATE BILL 12-013

SENATE SPONSORSHIP

Schwartz,

HOUSE SPONSORSHIP

Jones,

Senate Committees
Transportation

House Committees

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 operation of low-speed electric vehicles on roadways at speeds up to 40 miles per hour.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
3rd Reading Unamended
February 8, 2012

SENATE
Amended 2nd Reading
February 6, 2012

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

3 **42-4-109.5. Low-speed electric vehicles.** (1) (a) A low-speed
4 electric vehicle may be operated only on a roadway that has a speed limit
5 equal to or less than thirty-five miles per hour; except that it may be
6 operated to directly cross a roadway that has a speed limit greater than
7 thirty-five miles per hour at an at-grade crossing to continue traveling
8 along a roadway with a speed limit equal to or less than thirty-five miles
9 per hour.

10 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1),
11 A LOW-SPEED ELECTRIC VEHICLE MAY BE OPERATED ON A STATE HIGHWAY
12 THAT HAS A SPEED LIMIT EQUAL TO FORTY MILES PER HOUR OR CROSS A
13 ROADWAY WITH A SPEED LIMIT EQUAL TO FORTY MILES PER HOUR TO
14 CROSS AT-GRADE, IF:

15 (I) SUCH ROADWAY'S LANE WIDTH IS ELEVEN FEET OR GREATER;

16 (II) SUCH ROADWAY PROVIDES TWO OR MORE LANES IN EITHER
17 DIRECTION; AND

18 (III) THE DEPARTMENT DETERMINES, IN CONSULTATION WITH
19 LOCAL GOVERNMENT AND LAW ENFORCEMENT, UPON THE BASIS OF A
20 TRAFFIC INVESTIGATION, SURVEY, APPROPRIATE DESIGN STANDARDS, OR
21 PROJECTED VOLUMES, THAT THE OPERATION OF A LOW-SPEED ELECTRIC
22 VEHICLE ON THE ROADWAY POSES NO SUBSTANTIAL SAFETY RISK OR
23 HAZARD TO MOTORISTS, BICYCLISTS, PEDESTRIANS, OR OTHER PERSONS.

24 (c) THE DEPARTMENT MAY WAIVE THE NECESSITY OF A TRAFFIC
25 INVESTIGATION OR SURVEY PURSUANT TO SECTION 42-4-1102 OR MAY
26 CONDUCT A TRAFFIC INVESTIGATION OR SURVEY TO DETERMINE WHERE
27 LOW-SPEED ELECTRIC VEHICLES CAN BE DRIVEN SAFELY ON STATE

1 HIGHWAYS OR PORTIONS THEREOF. THE DEPARTMENT SHALL CONDUCT
2 THIS TRAFFIC INVESTIGATION OR SURVEY USING EXISTING
3 APPROPRIATIONS.

4 **SECTION 2.** In Colorado Revised Statutes, 42-4-111, **amend** (1)
5 (bb) (II) as follows:

6 **42-4-111. Powers of local authorities.** (1) This article shall not
7 be deemed to prevent local authorities, with respect to streets and
8 highways under their jurisdiction and within the reasonable exercise of
9 the police power, except those streets and highways that are parts of the
10 state highway system that are subject to section 43-2-135, C.R.S., from:

11 (bb) Authorizing and regulating the operation of golf cars on
12 roadways by resolution or ordinance of the governing body, if the
13 authorization or regulation is consistent with this title and does not
14 authorize:

15 (II) Operation of a golf car by a person under ~~fourteen~~ SIXTEEN
16 years of age; or

17 **SECTION 3. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety.