S T A T E O F N E W Y O R K

2704

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

Introduced by M. of A. RABBITT -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to permitting the use of low speed electric vehicles on highways with a posted speed limit of not more than thirty-five miles per hour

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 121-f of the vehicle and traffic law, as amended by chapter 698 of the laws of 2006, is amended to read as follows:

S 121-f. Low speed vehicle. 1. A limited use automobile which has a maximum performance speed of greater than twenty miles an hour, but not greater than twenty-five miles an hour or a truck which has a maximum performance speed of greater than twenty miles an hour, but not greater than twenty-five miles an hour and whose gross vehicle weight rating (GVWR) is less than three thousand pounds. All such vehicles shall comply with the safety standards established in 49 C.F.R. 571.500.

2. LOW SPEED VEHICLES SHALL ONLY BE OPERATED ON PUBLIC HIGHWAYS WHERE THE POSTED SPEED LIMIT IS NOT MORE THAN THIRTY-FIVE MILES PER HOUR. A LOW SPEED VEHICLE MAY CROSS A PUBLIC HIGHWAY WITH A POSTED SPEED LIMIT IN EXCESS OF THIRTY-FIVE MILES PER HOUR WHERE SUCH HIGHWAY INTERSECTS WITH A HIGHWAY WITH A POSTED SPEED LIMIT OF THIRTY-FIVE MILES PER HOUR OR LESS. THE DEPARTMENT OF TRANSPORTATION MAY PROHIBIT LOW SPEED VEHICLES FROM DESIGNATED HIGHWAYS.

S 2. Nothing in this act shall be deemed to limit the authority of a county, city, town or village from adopting or amending a local law or ordinance which prohibits the operation of low speed vehicles on public highways located in such county, city, town or village, so long as such local law or ordinance is consistent with its authority to protect the order, conduct, health, safety and general welfare of persons or property. Nothing in this act shall be deemed to alter or invalidate any

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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local law or ordinance already in effect as of the effective date of this act.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the amendment, addition and/or repeal of any rule or regulation necessary for the timely implementation of this act upon its effective date is hereby authorized to be made on or before such effective date.