

ORDINANCE NO. 3525

AN ORDINANCE AMENDING CHAPTER 23 -TRAFFIC, ARTICLE II- OPERATION OF VEHICLES GENERALLY, SECTION 23 - 95, RESERVED OF THE BROKEN ARROW CODE, MORE SPECIFICALLY ADDING REGULATIONS REGARDING NEIGHBORHOOD ELECTRIC VEHICLES IN THE DOWNTOWN ROSE DISTRICT; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION I. That Chapter 23 of the Broken Arrow Code, Article II Section 23-95 is hereby amended to read as follows:

A. Definitions

“Neighborhood Electric Vehicle” (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 CRF 571.3(b) and 571.500. NEV does not include a standard golf cart.

B. Standards

1. NEV’s shall be 4-wheeled and have a speed range of at least 20 miles per hour and not more than 25 miles per hour on paved surfaces; and shall have a gross vehicle weight at rest of less than 3000 pounds.
2. NEV’s shall meet the general test conditions under 49 CFR 571.50056, and shall have functioning headlamps (and must be on at all times during operation on City roads), front and rear turn signals, stop lamps, reflex reflectors-one red on each side as far to the rear as practicable and one red on the rear, an exterior mirror mounted on the driver’s side and either an exterior mirror on the passenger side or an interior review mirror, parking brake, a windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials(49 CFR 571.205), a vehicle identification number (VIN) that complies with federal law (49 CFR 565), a Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.3209, and Federal Motor Safety Standard No. 209, for each designated seating position. Neighborhood Electric Vehicles must meet the general test conditions under 49 CFR 571.50056.

C. Limitations and Permitted Use

NEV’s, authorized pursuant to Oklahoma Statute 47-11-805.1, NEV may only operate in the area designated as the Rose District Residential Overlay subject to the following restrictions:

1. NEV’s shall not operate on any public road within the City where the speed limit exceeds 35 miles per hour.

2. NEV's shall not operate on or cross major arterials such as Kenosha St., Elm Pl., 9th St., or Houston St.

3. NEV's shall not operate on any designated bike lane or pedestrian path.

D. Operation Requirements

1. Any person who operates a NEV must hold a valid driver's license.

2. The NEV shall also be registered in accordance with applicable laws and maintain insurance as required by Oklahoma Statute 47-7-600.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. An emergency exists for the preservation of the public health, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this 17th day of April, 2018.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY