

BOROUGH OF EDINBORO
Erie County, Pennsylvania
Ordinance No. 631

AN ORDINANCE OF THE BOROUGH OF EDINBORO, ERIE COUNTY, ENTITLED THE EDINBORO NEIGHBORHOOD ELECTRIC VEHICLE ORDINANCE; PROVIDING FOR DEFINITIONS; DECLARING THE OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES TO BE A HAZARD AND PROHIBITING THE OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES ON BOROUGH ROADWAYS; PROVIDING FOR PENALTIES FOR VIOLATIONS; AND PROVIDING FOR A REPEALER, SEVERABILITY, BOROUGH MANAGER FILING INSTRUCTIONS, AND AN EFFECTIVE DATE.

WHEREAS, the Pennsylvania Vehicle Code, 75 Pa.C.S.A. §§101, et. seq., authorizes the use of Neighborhood Electric Vehicles on local roadways with a posted speed limit of 25 miles per hour or less, unless the local governing body determines that the operation of a neighborhood electric vehicle would constitute a hazard, 75 Pa.C.S.A. §3593(b)(3); and

WHEREAS, the Borough Council has determined that Neighborhood Electric Vehicles offer little to no protection in a motor vehicle crash, and they lack the majority of safety equipment that most vehicles are equipped with and passengers would be exposed to serious bodily injury or death in a collision with other vehicles; and

WHEREAS, the Borough Council further finds that, unless the operation of Neighborhood Electric Vehicles is prohibited by Borough Council, Neighborhood Electric Vehicles could be used on the majority of the streets within the Borough and would have to cross major state highways in an attempt to gain access to the various neighborhoods within the Borough; and

WHEREAS, the Borough Council is concerned that the operators of Neighborhood Electric Vehicles would use private property in an attempt to maneuver within the Borough, which would give rise to potential trespassing claims; and

WHEREAS, it is the determination of Borough Council that the operation of Neighborhood Electric Vehicles within the Borough would constitute a hazard, and their operation should be prohibited within the entirety of the Borough.

NOW THEREFORE, on this 9th day of April, 2024, the Borough Council of the Borough of Edinboro hereby ordains and enacts the following:

Section 1. **Short Title**

This Ordinance shall be known as and may be cited as the Borough of Edinboro Neighborhood Electric Vehicle Ordinance.

Section 2. Definitions

For purposes of this Ordinance, the following terms shall have the meanings as indicated:

Borough – The Borough of Edinboro, Erie County, Pennsylvania.

Neighborhood Electric Vehicle - A four-wheeled electric vehicle that has a maximum design speed of not less than 20 miles per hour and of not more than 25 miles per hour and that complies with the Federal safety standards established at 49 CFR 571.500 (relating to standard no. 500; low-speed vehicles).

Section 3. Declaration of a Hazard

A. The operation of Neighborhood Electric Vehicles on roadways of the Borough is hereby declared to be a hazard.

Section 4. Operation of Neighborhood Electric Vehicles Prohibited

A. The operation of Neighborhood Electric Vehicles on roadways of the Borough is hereby prohibited.

Section 5. Violations

A. Any person operating a Neighborhood Electric Vehicle upon a highway or roadway or crossing a highway or roadway within the Borough shall be subject to the penalties under 75 Pa.C.S.A. §6502 (relating to summary offenses).

Section 6. Repealer

Any ordinances, rules or resolutions, or parts of ordinances, rules, or resolutions, in conflict herewith shall be, and the same are hereby repealed.

Section 7. Severability

The provisions of this Ordinance are severable. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

Section 8. Directions to Borough Manager

The Borough Manager is hereby direct to affix the Borough Seal upon this Ordinance, insert the date of enactment upon the same, record the Ordinance in the Borough Ordinance Book and take all such actions as are required by the Home Rule Charter of the Borough and to amend the Borough Code as may be necessary.


Section 9. **Effective Date.**

This Ordinance shall be effective on the tenth (10th) day following the enactment of this Ordinance, as indicated below.


ORDAINED AND ENACTED by the BOROUGH COUNCIL OF THE HOME RULE BOROUGH OF EDINBORO on the date first indicated above.

ATTEST:

BOROUGH OF EDINBORO



Jason Spangenberg, Borough Manager



Aaron Gast, Mayor

CERTIFICATION

I hereby certify that the above is a true copy of the Borough of Edinboro Ordinance No. 631 adopted by a roll call vote signifying the majority vote of the members present of the Borough Council of the Borough of Edinboro on April 9, 2024, the same being advertised in the Meadville Tribune and recorded in the Borough Ordinance Book.



Secretary Jason Spangenberg

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