



Fwd: RE: electric cars and carts

Thursday, August 23, 2007 8:30 AM

From: "Jack Johnson" <writejacknow@yahoo.com>
To: "Georgia Hanson" <director@aspenhistory.org>, "Kip Hubbard" <education@aspenhistory.org>
RE: electric cars and carts.eml (34KB)

FYI

G/K—what were you saying about falsifying VIN numbers? confidentially of course.

jack

Note: forwarded message attached.

Forwarded Message: RE: electric cars and carts

Wednesday, August 22, 2007 10:13 AM

RE: electric cars and carts

From: "John Worcester" <johnw@ci.aspen.co.us>
To: "Mick Ireland" <micki@ci.aspen.co.us>, "Shae Singer" <shae@sopris.net>
Cc: "Steve Barwick" <steveb@ci.aspen.co.us>, "Steve Skadron" <stevesk@ci.aspen.co.us>, "J.E. DeVilbiss" <jed@ci.aspen.co.us>, "Jack Johnson" <jackj@ci.aspen.co.us>, "Dwayne Romero forward" <dromero@steepchasepartners.com>

Shae:

As I understand your request, you would like the City of Aspen to initiate a registration system for Neighborhood Electric Vehicles (NEV's) in that a number of NEV manufacturers have not been able to get VIN or WEIN numbers required for registration with the State. Apparently, the technology is changing so quickly that agencies responsible for issuing these identification numbers can't keep up. In any event, you believe that if the City had a registration system for NEV's that this would somehow relieve the owners from registering their vehicles with the state. For the reasons that follow, I do not believe the City can establish such a registration system; and, even if it could register NEV's, City registration would not replace the requirement that they be registered with the State.

State law considers NEV's to be "Motor vehicles" within the meaning of the state registration laws. See Sec. 42-1-102(58), C.R.S..

All "motor vehicles" are required to be registered with the state. County clerks are delegated the responsibility for registering vehicles for the Bureau of Motor Vehicles.

Municipalities are authorized to regulate the use and operation of NEV's within their jurisdiction provided the regulations are consistent with certain limitations set forth in the state statute (NEV's may not exceed 25 mph, etc.) See Sec. 42-4-111, C.R.S. This same statute that authorizes municipal regulation of NEV's states that "Local authorities are prohibited from establishing any requirement for the registration and licensing of neighborhood electric vehicles." See Sec. 42-4-111(aa)(l), C.R.S. In light of this specific prohibition, I don't know how the City of Aspen could require NEV's to be registered in the City. In addition, even if the City could require the registration of NEV's, such a registration requirement would not relieve an owner from registering their NEV with the County Clerk's Office.

I understand you have some examples of registration requirement from municipalities in other states. Keep in mind, however, that state laws are different in different states. What is allowed in one state, may not be