

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1627

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H.P. 1170

House of Representatives, April 23, 2019

### An Act To Authorize the Use of Autocycles

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Submitted by the Secretary of State pursuant to Joint Rule 204.  
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BRYANT of Windham.  
Cosponsored by Senator MIRAMANT of Knox and  
Representatives: ALLEY of Beals, DUNPHY of Old Town, HEPLER of Woolwich,  
HICKMAN of Winthrop, PERKINS of Oakland, Senator: President JACKSON of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §101, sub-§6-C** is enacted to read:

3 **6-C. Autocycle.** "Autocycle" means a 3-wheeled motorcycle that has a steering  
4 wheel or handlebars, floor pedals for automotive-style controls and seating that does not  
5 require the operator to straddle or sit astride a seat and that:

6 A. Meets the general motorcycle inspection standards, except those standards that do  
7 not apply due to the design of the vehicle;

8 B. Meets or exceeds the Federal Motor Vehicle Safety Standards under 49 Code of  
9 Federal Regulations, Part 571 applicable to motorcycles; and

10 C. Is equipped with:

11 (1) Safety belts for all occupants;

12 (2) A roll bar, roll hoops or an enclosed cab; and

13 (3) Brakes on at least 2 main wheels.

14 **Sec. 2. 29-A MRSA §101, sub-§63-B** is enacted to read:

15 **63-B. Roll hoop.** "Roll hoop" means a roll bar behind the headrest of a seat in a  
16 motor vehicle.

17 **Sec. 3. 29-A MRSA §501, sub-§13** is enacted to read:

18 **13. Autocycles.** The Secretary of State may issue a registration for an autocycle  
19 upon application and payment of an annual fee of \$21. The registrant must provide a  
20 certificate of title required by section 651, proof of financial responsibility required by  
21 section 1601 and evidence of payment of the excise tax as required by Title 36, section  
22 1482, subsection 1, paragraph C. An autocycle registered under this section is issued a  
23 registration plate with the word "autocycle" instead of "Vacationland." The Secretary of  
24 State may issue a facsimile plate for a 60-day period.

25 **Sec. 4. 29-A MRSA §1252, sub-§1, ¶C**, as amended by PL 2011, c. 165, §1, is  
26 further amended to read:

27 C. A Class C license may be issued for the operation of a single motor vehicle or a  
28 combination of vehicles that does not meet the definition of Class A or Class B  
29 license.

30 A holder of a Class C license may, with an appropriate endorsement, operate all  
31 vehicles in that class.

32 A Class C license authorizes:

33 (1) A full-time or volunteer member of an organized municipal, state or federal  
34 fire department and a law enforcement officer who is a member of an organized  
35 municipal, state or federal law enforcement department to operate fire apparatus  
36 as described in 49 Code of Federal Regulations, Section 383.3 (2005) and to

1 operate a commercial motor vehicle as a mobile command unit. For purposes of  
2 this subparagraph, "mobile command unit" means a motor vehicle designed and  
3 used by a law enforcement agency primarily as a command and control platform  
4 for emergency response;

5 (2) A person to operate recreational vehicles for personal use;

6 (3) A person to operate commercial motor vehicles for military purposes as  
7 required in 49 Code of Federal Regulations, Section 383.3 (2005);

8 (4) A person to operate registered farm motor trucks bearing the letter "F" on the  
9 registration plate when the vehicle is:

10 (a) Controlled and operated by a farmer, including operation by the farmer's  
11 employees or family members;

12 (b) Used to transport agricultural products, farm machinery or farm supplies  
13 to or from a farm;

14 (c) Not used in the operation of a common or contract motor carrier; and

15 (d) Used within 150 miles of the registered owner's farm;

16 (5) A person, employed by a city, town, county, district or other unit of local  
17 government created by or pursuant to law that has a total population of 3,000  
18 individuals or less, to operate a commercial motor vehicle within the boundaries  
19 of that unit of local government for the purpose of removing snow or ice from a  
20 roadway by plowing, sanding or salting, if:

21 (a) The properly licensed employee who ordinarily operates a commercial  
22 motor vehicle for those purposes is unable to operate the vehicle; or

23 (b) The employing governmental entity determines that a snow or ice  
24 emergency exists that requires additional assistance; or

25 (6) A person to operate a truck registered as an antique automobile, regardless of  
26 weight or combination weight, provided the vehicle is used for noncommercial  
27 recreational purposes or purposes pursuant to section 101, subsection 3.

28 **Sec. 5. 29-A MRSA §1252, sub-§2**, as amended by PL 2005, c. 577, §14, is  
29 further amended to read:

30 **2. School bus or motorcycle.** Operation of a school bus or motorcycle, other than  
31 an autocycle, requires a special endorsement on a license.

32 A nonresident school bus driver picking up and discharging school children or driving in  
33 conjunction with school-related activities may operate a vehicle with a certificate issued  
34 by the Secretary of State.

35 A school bus certificate may be issued only after the applicant has successfully passed the  
36 required examination.

37 **Sec. 6. 29-A MRSA §1254, sub-§1**, as amended by PL 2005, c. 577, §16, is  
38 further amended to read:

1           **1. Motorcycles.** The Secretary of State may issue a license specifically endorsed for  
2 the operation of a motorcycle with the same requirements as a motor vehicle license. A  
3 motor vehicle license does not authorize operation of a motorcycle unless the license is  
4 endorsed for that vehicle. This subsection does not apply to the operation of an  
5 autocycle.

6           **Sec. 7. 29-A MRSA §2062, sub-§4, ¶B,** as enacted by PL 2003, c. 452, Pt. Q,  
7 §41 and affected by Pt. X, §2, is amended to read:

8           B. More than 2 motorcycles may not be operated abreast within the same lane,  
9 except that autocycles may not be operated abreast within the same lane.

10          **Sec. 8. 29-A MRSA §2083, sub-§1,** as amended by PL 2017, c. 51, §§1 to 3, is  
11 further amended to read:

12          **1. Requirement.** The following persons must wear protective headgear:

13           A. If under 18 years of age, a passenger on a motorcycle or moped or in an attached  
14 side car;

15           B. If under 18 years of age, an operator of a motorcycle or moped;

16           C. An operator of a motorcycle or moped, operating under a learner's permit or  
17 within one year of successfully completing a driving test; and

18           D. A passenger of an operator required to wear headgear.

19 This subsection does not apply to the operation of an autocycle.

20          **Sec. 9. 29-A MRSA §2089-B** is enacted to read:

21 **§2089-B. Operation of autocycles**

22          A person operating an autocycle on a public way shall comply with the provisions of  
23 this chapter and with this section.

24          **1. License required.** A person operating an autocycle must possess a valid Class A,  
25 B or C operator's license pursuant to section 1252.

26 **SUMMARY**

27          This bill defines an autocycle as a 3-wheeled motorcycle that has a steering wheel or  
28 handlebars, floor pedals for automotive-style controls and seating that does not require  
29 the operator to straddle or sit astride a seat and establishes provisions for registration and  
30 operator licensing.