

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
110TH LEGISLATURE
FIRST REGULAR SESSION

L.D. 1073
(Filing H-287)

COMMITTEE AMENDMENT "A" to H.P. 906, L.D. 1073,
Bill, "AN ACT to Regulate Motorized Bicycles."

Amend the Bill by inserting before the enacting clause
the following:

'Emergency preamble. Whereas, Acts of the Legislature
do not become effective until 90 days after adjournment
unless enacted as emergencies; and

Whereas, most frequent use of motorized bicycles and
tricycles occurs during spring and summer; and

Whereas, these vehicles greatly conserve fuel and their
use should be encouraged; and

Whereas, these vehicles are especially suitable for older
adults giving them economical, accessible transportation; and

Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution
of Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health
and safety; now, therefore, '

Further amend the Bill by striking out everything after
the enacting clause and inserting in its place the following:

'Sec. 1. 29 MRSA §1, sub-§4, < - - > as amended by
PL 1971, c. 575, §1, is further amended by adding at the end
a new sentence to read:

"Motorcycle" does not include a motorized bicycle or tricycle.

Sec. 2. 29 MRSA §1, sub-§5 is amended to read:

5. Motor driven cycle. "Motor driven cycle" shall mean every motorcycle, including every motor scooter, with a motor which produces not to exceed 5 horsepower ~~and every-bicycle-with-motor-attached.~~ "Motor driven cycle" does not include a motorized bicycle or tricycle.

Sec. 3. 29 MRSA §1, sub-§5-A, < > as enacted by PL 1977, c. 402, §1, is amended by adding at the end a new sentence to read:

"Moped" does not include a motorized bicycle or tricycle.

Sec. 4. 29 MRSA §1, sub-§5-B is enacted to read:

5-B. Motorized bicycle or tricycle. "Motorized bicycle or tricycle" means a pedal bicycle or tricycle which has a helper motor rated no more than 1.5 brake horsepower, a cylinder capacity not exceeding 50 cubic centimeters and an automatic transmission, and which is capable of a maximum design speed of no more than 25 miles per hour.

Sec. 5. 29 MRSA §530-A is enacted to read:

§530-A. Motorized bicycle or tricycle operator

A motorized bicycle or tricycle shall not be operated by any person who does not possess a valid operator's license of any class or learner's permit or who does not possess a license specially endorsed to operate a motorcycle, motor driven cycle or moped.

Sec. 6. 29 MRSA §1962, as amended by PL 1973, c. 38, is further amended to read:

§1962. Equipment

Every bicycle, motorized bicycle or tricycle when in

use in the nighttime or at other times when motor vehicles are required to display headlamps by section 1366 shall be equipped with and have lighted a lamp on the front which shall emit a white light visible from a distance of at least 200 feet to the front and a red reflector to the rear which shall be visible at least 200 feet to the rear. Bicycle motorized bicycle or tricycle pedals shall bear reflector strips and motorized bicycle or tricycle bicycle/handlebars shall bear reflector tapes when in use in the nighttime or at other times when motor vehicles are required to display headlamps by section 1366. Every bicycle motorized bicycle or tricycle shall be equipped with a brake which shall enable the operator to stop the bicycle/motorized bicycle or tricycle within a reasonable distance.

Sec. 7. 29 MRSA §1963, as amended by PL 1975, c. 731, §55, is further amended by adding at the end a new sentence to read:

The operator of a moped, motorized bicycle or tricycle shall be subject to all the penalties within this Title.

Sec. 8. 29 MRSA §2506, sub-§6, as enacted by PL 1981, c. 117, §5, is repealed.

Sec. 9. 29 MRSA §2506, sub-§7 is enacted to read:

7. Motorized bicycle or tricycle. Motorized bicycle or tricycle, as defined in section 1, subsection 5-B.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.'

Statement of Fact

This amendment creates a special category under the motor vehicle laws for motorized bicycles which have less power than mopeds and which should consequently be treated separately. These vehicles would be subject to the usual safety and operation provisions and could only be operated by someone with a valid license or learner's permit. This amendment also repeals / ^{Public Law} 1981, c. 117, § 5, relating to motor vehicles on islands.

Reported by the Committee on Transportation.
Reproduced and distributed under the direction of the Clerk of the House.

5/1/81

(Filing No. H-287)