

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 152

H.P. 131

House of Representatives, January 15, 2009

### An Act Relating to 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.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CONNOR of Kennebunk.  
Cosponsored by Senator DAMON of Hancock and  
Representatives: BERRY of Bowdoinham, BRIGGS of Mexico, BROWNE of Vassalboro,  
MAZUREK of Rockland, PEOPLES of Westbrook, THERIAULT of Madawaska, Senators:  
JACKSON of Aroostook, SULLIVAN of York.

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

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

3 **6-A. Autocycle.** "Autocycle" means an enclosed motorcycle having no more than 3  
4 wheels in contact with the ground and that:

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

7 B. Is equipped with:

8 (1) Safety belts for all passengers;

9 (2) A roll bar;

10 (3) A steering wheel or tiller; and

11 (4) Brakes on at least 2 main wheels.

12 An autocycle may not be designed or used primarily for the transport of cargo or  
13 materials. The manufacturer's certificate of origin must state that the vehicle meets  
14 the federal specifications for a motorcycle.

15 **Sec. 2. 29-A MRSA §501, sub-§12** is enacted to read:

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

23 **Sec. 3. 29-A MRSA §1301, sub-§9**, as reallocated by RR 2003, c. 1, §28, is  
24 amended to read:

25 **9. Vehicle used for examination.** An applicant for a license may not use a low-  
26 speed vehicle or autocycle to demonstrate ability to operate a motor vehicle as required  
27 under subsection 4.

28 **Sec. 4. 29-A MRSA §2083, sub-§1**, as amended by PL 2005, c. 577, §33, is  
29 further amended to read:

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

31 A. If under 15 years of age, a passenger on a motorcycle or in an attached side car or  
32 in an autocycle;

33 B. If under 15 years of age, an operator of an off-road motorcycle;

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

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

2 **Sec. 5. 29-A MRS §2083, sub-§2**, as amended by PL 2005, c. 577, §33, is  
3 further amended to read:

4 **2. Compliance.** An operator of a motorcycle, or autocycle or a parent or guardian  
5 may not allow a passenger under the age of 15 years to ride in violation of this section.

6 **Sec. 6. 29-A MRS §2089-A** is enacted to read:

7 **§2089-A. Operation of autocycles**

8 A person operating an autocycle on a public way shall comply with the provisions of  
9 this chapter as they apply to the operator of a motorcycle and with this section.

10 **1. License required.** A person operating an autocycle must possess a valid  
11 operator's license of any class with a motorcycle endorsement pursuant to section 1252,  
12 subsection 2 or a motorcycle operator's license pursuant to section 1254, subsection 1.

13 **2. Road restrictions.** An autocycle may be operated only on a road or street where  
14 the posted speed limit is 45 miles per hour or less. An autocycle may cross, at an  
15 intersection, a road or street with a posted speed limit of more than 45 miles per hour.  
16 The department may prohibit the operation of an autocycle on any highway or segment of  
17 highway under its jurisdiction if it determines that the prohibition is necessary in the  
18 interest of public safety. A municipality may prohibit the operation of an autocycle on  
19 any road under its jurisdiction if it determines that the prohibition is necessary in the  
20 interest of public safety.

21 **3. Violation.** A person who operates an autocycle in violation of subsection 2  
22 commits a traffic infraction.

23 **4. Rulemaking.** The Secretary of State, in consultation with the Commissioner of  
24 Transportation and the Commissioner of Public Safety, may adopt routine technical rules  
25 in accordance with Title 5, chapter 375, subchapter 2-A to implement this section,  
26 monitor the registration and use of autocycles and provide for the safe operation of  
27 autocycles.

28 **SUMMARY**

29 This bill defines an autocycle as an enclosed, 3-wheeled motorcycle with certain  
30 additional safety equipment and establishes provisions for registration, operator licensing  
31 and limitations on operation of an autocycle. An autocycle would be allowed to operate  
32 only on roads with a posted speed limit of 45 miles per hour or less. An autocycle may  
33 not be designed or used primarily for the transport of cargo or materials.