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Oregon Motorcycle Safety Program

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Definition of a motorcycle

Oregon's Governor's Advisory Committee on Motorcycle Safety has asked me to find out which states have changed the legal definition of a motorcycle from the NHTSA definition in 49 CFR 571.3 (pasted below). If you have, can you send me a link or the new language?

NHTSA Definition: "Motorcycle means a motor vehicle with motive power having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground."

Thanks for any help you can provide!

WASHINGTON

Washington State's definition elaborates on the NHTSA definition:

RCW 46.04.330

Motorcycle.

"Motorcycle" means a motor vehicle designed to travel on not more than three wheels, not including any stabilizing conversion kits, on which the driver:

- (1) Rides on a seat or saddle and the motor vehicle is designed to be steered with a handlebar; or
- (2) Rides on a seat in a partially or completely enclosed seating area that is equipped with safety belts and the motor vehicle is designed to be steered with a steering wheel.

"Motorcycle" excludes a farm tractor, a power wheelchair, an electric personal assistive mobility device, a motorized foot scooter, an electric-assisted bicycle, and a moped.

Thanks,

~Mark Medalen

NORTH CAROLINA

In North Carolina, a motorcycle is defined as follows:

Motorcycles. - Vehicles having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor-driven bicycles, but excluding tractors and utility vehicles equipped with an additional form of device designed to transport property, three-wheeled vehicles while being used by law-enforcement agencies and mopeds as defined in subdivision d1 of this subsection.

And since it refers to "Mopeds", the definition of a moped follows:

Moped. - A vehicle that has two or three wheels, no external shifting device, and a motor that does not exceed 50 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface.

Hope this helps!

~**Bob Wagner**

MICHIGAN

In Maine, a motorcycle means a motor vehicle that has a seat or a saddle for the use of the rider and is designed to travel with only 2 or 3 10-inch or larger diameter wheels in ground contact and has a motor with a cylinder capacity of more than 50 cubic centimeters or an electric motor with a capacity of not less than 1,500 watts.

Best of Luck,

~**John Kohler**

NEW JERSEY

According to New Jersey law, a motorcycle can be a motor bike, a bicycle with a motor attached or any motor-operated vehicle of the bicycle or tricycle type, except for a motorized bicycle.

The motor power can be part of the vehicle or attached. The vehicle must have a saddle or seat for the driver to sit astride or upon, or a platform on which to stand.

~**Lori Sannella**

MARYLAND

Maryland Vehicle Law under § 11-136 is the same, but we have added: At speeds exceeding 35 miles per hour; and: Is of a type required to comply with all motor vehicle safety standards applicable to motorcycles under federal law. As the Bard would say, "There's the rub."

Regards.

~**Phil Sause**

VIRGINIA

Hi Michele, Here is our definition of motorcycle, auto cycle and moped.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground and is capable of traveling at speeds in excess of 35 miles per hour. "Motorcycle" does not include any "autocycle," "electric personal assistive mobility device," "electric power-assisted bicycle," "farm tractor," "golf cart," "moped," "motorized skateboard or foot-scooter," "utility vehicle," or "wheelchair or wheelchair conveyance" as defined in this section.

"Autocycle" means a three-wheeled motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride and is manufactured to comply with federal safety requirements for motorcycles. Except as otherwise provided, an autocycle shall not be deemed to be a motorcycle.

Moped" means every vehicle that travels on not more than three wheels in contact with the ground that (i) has a seat that is no less than 24 inches in height, measured from the middle of the seat perpendicular to the ground; (ii) has a gasoline, electric, or hybrid motor that (a) displaces 50 cubic centimeters or less or (b) has an input of 1500 watts or less; (iii) is power-driven, with or without pedals that allow propulsion by human power; and (iv) is not operated at speeds in excess of 35 miles per hour. For purposes of this title, a moped shall be a motorcycle when operated at speeds in excess of 35 miles per hour. For purposes of Chapter 8 (§ 46.2-800<<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+46.2-800>> et seq.), a moped shall be a vehicle while operated on a highway.

~Bruce Biondo

NEVADA

NRS 486.041 "Motorcycle" defined. "Motorcycle" means every motor vehicle equipped with a seat or a saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, excluding an electric bicycle as defined in NRS 483.067, a tractor and a moped.

(Added to NRS by 1971, 1465; A 1975, 1082; 2009, 403)

After that there are exclusions listed that say a tri-mobile is not a motorcycle for the purposes of licensing and helmets, etc.

~ Pete Vander Aa

CONNECTICUT

Definition - Motorcycle

According to Connecticut General Statute 14-1, www.cga.ct.gov

"Motorcycle" means a motor vehicle, with or without a sidecar, having not more than three wheels in contact with the ground and a saddle or seat on which the rider sits or a platform on which the rider stands and includes bicycles having a motor attached, except 'bicycles' propelled by means of a helper motor as defined in Connecticut General Statute 14-1, but does not include a vehicle having a

completely or partially enclosed driver's seat and a motor which is not in the enclosed area.

"Motor-driven cycle" means any motorcycle, motor scooter, or bicycle with attached motor with a seat height of not less than twenty-six inches and a motor having a capacity of less than fifty cubic centimeters piston displacement;

~Nicholas Just

MICHIGAN

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

257.31 "Motorcycle" defined.

"Motorcycle" means every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than 3 wheels in contact with the ground but excluding a tractor.

History: 1949, Act 300, Eff. Sept. 23, 1949

257.32b "Moped" defined.

"Moped" means a 2- or 3-wheeled vehicle to which both of the following apply:

(a) It is equipped with a motor that does not exceed 100 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface.

(b) Its power drive system does not require the operator to shift gears.

History: Add. 1976, Act 439, Imd. Eff. Jan. 13, 1977 ;-- Am. 1983, Act 91, Imd. Eff. June 16, 1983 ;-- Am. 2012, Act 424, Imd. Eff. Dec. 21, 2012

~Chad Teachout