



Posted by Sunshine Beer

IDAHO STAR Director

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Elio/Autocycle/Unconventional Vehicle Legislation

Good Day Folks,

Idaho currently has a bill in legislation (just passed in the House) that was co-drafted by Elio Motors. If passed, "autocycles" will be registered and classified as motorcycles but their operators will be exempt from being required to have a motorcycle endorsement on their driver's license and from being required to wear a helmet.

The definition of "autocycle" in Idaho HB17 is very narrow. It is very specific to the Elio and applies to nothing else (Polaris Slingshot, etc.). As more competitors move to manufacturing these unconventional vehicles, we will be forced to have to consider new definitions in code for each new vehicle. Messy.

What experiences have you had with this issue? Does anyone have samples of legislation they can share that address this issue? I know of only one state that currently has an "unconventional vehicle" code that is less restrictive in definition. Is it working? Are there other states with new legislation proposed this session that may be more workable?

Many thanks,

ILLINOIS

>From the Illinois Rules of the Road:

Autocycle Safety

An autocycle is a three-wheeled vehicle that has a steering wheel and seating that does not require the driver to straddle or sit astride it. This type of vehicle may be operated on Illinois roadways when correctly titled and registered with the Secretary of State. The operator of the vehicle must have a valid Illinois driver's license to legally operate the vehicle.

An Elio or Slingshot would both fall in the autocycle classification and require a class D license to operate. This was written broadly to include other 3 wheel vehicles that may be coming in the future.

~Terry Redman

MARYLAND

Sunshine,

I understand you are the new Grand Poo-Bah. Congrats.

Maryland is also struggling with these new vehicles which the AAMVA has

dubbed, Autocycles. Typically an Autocycle shares the characteristics of both a car and a motorcycle. In most cases the only characteristic is it has 3-wheels, so by definition cannot be a motorcycle. Doing so I think will create more problems than it potentially solves. Also, allowing a manufacturer to help draft legislation that would basically exclude completion is well, probably, not copasetic. Better call Saul.

This is a complex issue. Here in the Free State the Maryland State Police recently evaluated the Polaris Slingshot to the motorcycle inspection standard. It failed on five counts. One of which is Maryland Vehicle Law 21-1302(d), which says you sit astride a motorcycle.

I am working with someone at the AAMVA to help collect information on how other states are handling this issue. I can share.

Regards.

~Phil Sause

NEW MEXICO

There is an autocycle bill that has been proposed during the current legislative session in New Mexico. It includes language that requires specific safety equipment including a roll cage, seat belt, airbag, antilock brake, steering wheel and pedals.

[<http://www.nmlegis.gov/lcs/graphics/adobe.jpg>]<<http://www.nmlegis.gov/Sessions/15%20Regular/bills/house/HB0065.pdf>>

~Franklin Garcia

MISSOURI

With the increase in 'unique' vehicles in the marketplace the current definitions don't seem to be sufficient. As I read your question, no Missouri does not currently have any legislation defining unconventional vehicles as a class although I believe we need to move that direction.

That being said, like a few others have posted, there is a bill that has moved past the House that will exempt 'Autocycle' drivers from being required to wear helmets. The definition here is very specific and aimed particularly at the Elio.

~Ray Pierce

VIRGINIA

Sunshine, below is current law on autocycle and here is a link to the actual bill <http://leg1.state.va.us/cgi-bin/legp504.exe?141+ful+HB122> , the bill has a lot of other things within in it.

§ 46.2-100. Definitions.

As used in this title, unless the context requires a different meaning:

"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.

~Bruce Biondo

VERMONT

Sunshine,

In 2014 the Vermont Legislature passed a bill about Autocycles. Vermont laws concerning Autocycles are:

§ 4. Definitions

(18)(A) "Motorcycle" shall mean any motor vehicle 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, and shall include autocycles but exclude motor-driven cycles, golf carts, track driven vehicles, tractors, and electric personal assistive mobility devices.

(B) "Autocycle" means a three-wheeled motorcycle:

- (i) in which the occupants sit with their legs forward;
- (ii) designed to be controlled with a steering wheel and pedals; and
- (iii) equipped with safety belts for all occupants.

(C) "Fully enclosed autocycle" means an autocycle equipped with a windshield and that has full top and side enclosures capable of supporting the vehicle's weight and protecting the occupants when the vehicle is resting on the enclosures.

§ 601. License required

(f) Operators of autocycles shall be exempt from the requirements to obtain a motorcycle learner's permit or a motorcycle endorsement.

(Note: Operators of Autocycles must have a valid driver's license)

§ 1114. Riding on motorcycles and motor-driven cycles

(b) A person shall ride upon a motorcycle or motor-driven cycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle or motor-driven cycle. The requirement of this subsection shall not apply to occupants of autocycles or of sidecars.

§ 1256. Motorcycles-Headgear

A person may not operate or ride upon a motorcycle upon a highway unless he or she properly wears protective headgear of a type that conforms to the federal Motor Vehicle Safety Standards contained in 49 C.F.R. § 571.218, as may be amended. The requirement of this section shall not apply to occupants of fully enclosed autocycle.

Let me know if you have any questions.

~Paul Graves

WASHINGTON

In WA, we do not have a separate autocycle definition. As it stands right now, our motorcycle statutes cover many of the 3-wheel auto-cycle type vehicles out on the roads. As expected, we cannot tell if this will also be sufficient as vehicle types are constantly changing and evolving, but the statutes are not specific to any models.

Since we have received lots of questions regarding registration, endorsement, and gear requirements as well as testing standards for the wide variety of unconventional 3-wheel vehicles in Washington. I have attached copies of the communications we have sent to our stakeholders about WA laws and how to interpret them for customers. The documents also contain links to WA statutes regarding motorcycle registration, endorsement, and gear requirements. One challenge we are faced with in our current motorcycle definition, is that if the motorcycle has a steering wheel, then it also must have seat belts, and a fully or partially enclosed area to be legally registered. This poses some challenges as not all 3 wheel vehicles with a steering wheel have seat belts, and also, we do not have a definition of what constitutes fully or partially closed for the registration requirement.

In other words, it is not perfect in WA, but we have found ways to make our current laws work. Hope this info helps!

~Andrea Nygard

CALIFORNIA

These have been around for a while now. This is how we deal with this type of vehicle in California (attached).

<<http://lists.oregonstate.edu/mailman/private/smsa/attachments/20150225/d964ca09/attachment-0001.pdf>>

~Mark Pope

MICHIGAN

Current Michigan Autocycle code:

257.25a "Autocycle" defined.

"Autocycle" means an enclosed motorcycle that is equipped with safety belts, rollbar, windshield, wipers, steering wheel, and equipment otherwise required on a motorcycle, and which has not more than 3 wheels in contact with the roadway at any 1 time.

Vs

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.

~Chad Teachout

MARYLAND

Chad,

I'm not a legislature, but I have slept at a Holiday Inn Express. But doesn't describing an Autocycle as a motorcycle, that has a seat or a saddle, render the definition mute?

Regards.

~Phil Sause

MICHIGAN

Valid points Phil.

I think it's a requirement to be in the legislature to write confusing bills and law.

~Chad Teachout

NEVADA

Our "trike" law says a tri-mobile has two drive wheels. So, currently the CanAm and Slingshot are both motorcycles since they have just one drive wheel. Both of these types of vehicles require an "M" license.

~Pete Vander Aa