

Chapter 231

(Senate Bill 774)

AN ACT concerning

Motor Vehicles – Autocycles – Standards and Requirements

FOR the purpose of establishing that an autocycle is considered to be a motorcycle for the purposes of the Maryland Vehicle Law; defining the term “autocycle”; establishing certain driver’s licensing requirements for an operator of an autocycle; prohibiting certain persons from towing certain vehicles when driving an autocycle; prohibiting an applicant for a certain driver skills examination from using an autocycle for the examination; restricting the course of instruction for certain motorcycle safety courses to the use and operation of certain motorcycles; requiring that the form for certain written accident reports distinguish autocycles from motorcycles; restricting the requirement that a person ride on a motorcycle in a certain manner to persons riding certain motorcycles; requiring the Motor Vehicle Administration and the Department of State Police to adopt certain regulations establishing equipment standards for autocycles; making certain conforming changes; making a certain stylistic change; and generally relating to the application of the Maryland Vehicle Law to autocycles.

BY adding to

Article – Transportation

Section 11–103.3

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–136, 16–104.1, 16–110(e), 16–601, 20–113, 21–1302(d) and (e), 22–412, and 23–104

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Transportation**11–103.3.****“AUTOCYCLE” MEANS A MOTOR VEHICLE THAT:**

- (1) HAS TWO FRONT WHEELS AND ONE REAR WHEEL;**

(2) HAS A STEERING WHEEL;

(3) HAS PERMANENT SEATS ON WHICH THE OPERATOR OR A PASSENGER IS NOT REQUIRED TO SIT ASTRIDE;

(4) HAS FOOT PEDALS TO CONTROL ACCELERATION, BRAKING, AND, IF APPLICABLE, A CLUTCH; AND

(5) IS MANUFACTURED TO COMPLY WITH FEDERAL SAFETY STANDARDS FOR MOTORCYCLES.

11-136.

(a) “Motorcycle” means a motor vehicle that:

(1) **(I)** Has motive power;

[(2)] (II) Has a seat or saddle for the use of the rider;

[(3)] (III) Is designed to travel:

[(i)] 1. On not more than three wheels in contact with the ground;

and

[(ii)] 2. At speeds exceeding 35 miles per hour; and

[(4)] (IV) Is of a type required to comply with all motor vehicle safety standards applicable to motorcycles under federal law; **OR**

(2) IS AN AUTOCYCLE.

(b) A detachable sidecar is an accessory to and not a part of a motorcycle.

16-104.1.

(a) (1) A noncommercial Class A driver’s license authorizes the licensee to drive combinations of Class F (tractor) and Class G (trailer) vehicles and any vehicle that a noncommercial Class B driver’s license authorizes its holder to drive, except:

(i) Commercial motor vehicles; and

(ii) Motorcycles **OTHER THAN AUTOCYCLES.**

(2) An individual who is issued a noncommercial Class A driver's license under this subsection may not drive or attempt to drive a motor vehicle on any highway in this State unless a noncommercial Class A driver's license authorizes the individual to drive a vehicle of the class that the individual is driving or attempting to drive.

(b) (1) A noncommercial Class B driver's license authorizes the licensee to drive any single vehicle or combinations of vehicles with a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR), as defined in § 16–803 of this title, of 26,001 pounds and more and any vehicle that a noncommercial Class C driver's license authorizes its holder to drive, except:

- (i) Commercial motor vehicles;
- (ii) Motorcycles **OTHER THAN AUTOCYCLES**; and
- (iii) Combinations of Class F (tractor) and Class G (trailer) vehicles.

(2) An individual who is issued a noncommercial Class B driver's license under this subsection may not drive or attempt to drive a motor vehicle on any highway in this State unless a noncommercial Class B driver's license authorizes the individual to drive a vehicle of the class that the individual is driving or attempting to drive.

(c) (1) A noncommercial Class C driver's license authorizes the licensee to drive any vehicle or combination of vehicles with a gross vehicle weight rating (GVWR), as defined in § 16–803 of this title, of less than 26,001 pounds, except:

- (i) Commercial motor vehicles; and
- (ii) Motorcycles **OTHER THAN AUTOCYCLES**.

(2) An individual who is issued a noncommercial Class C driver's license under this subsection may not drive or attempt to drive a motor vehicle on any highway in this State unless a noncommercial Class C driver's license authorizes the individual to drive a vehicle of the class that the individual is driving or attempting to drive.

(d) (1) A Class M driver's license authorizes the licensee to drive motorcycles **OTHER THAN AUTOCYCLES**.

(2) An individual who is issued a Class M driver's license under this subsection may not drive or attempt to drive a motor vehicle on any highway in this State unless a Class M driver's license authorizes the individual to drive a vehicle of the class that the individual is driving or attempting to drive.

(e) **(1) [Except] THIS SUBSECTION DOES NOT APPLY TO AN AUTOCYCLE OR** when the towing vehicle is a commercial motor vehicle[and subject].

(2) SUBJECT to the provisions of this section, a noncommercial Class A, B, or C license holder may:

[(1)] (I) Tow any travel trailer as defined in § 11–170 of this article;

[(2)] (II) Tow any camping trailer as defined in § 11–106 of this article; or

[(3)] (III) Tow any boat trailer as defined in § 11–104.1 of this article.

(f) This section applies to any license issued or renewed on or after January 1, 1990.

16–110.

(e) (1) (I) [For] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR a required driver skills examination or driver road examination, each applicant shall provide a motor vehicle of a type appropriate to test the applicant’s ability to drive all vehicles that may be driven under the license class applied for.

(II) AN APPLICANT MAY NOT USE AN AUTOCYCLE TO TEST THE APPLICANT’S ABILITY TO DRIVE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(2) Except as provided in paragraphs (3) and (4) of this subsection, when the holder of a learner’s instructional permit appears for the driving test, the permit holder shall be accompanied by an individual qualified under § 16–105 of this subtitle to accompany the holder of a learner’s permit while driving on a highway. That individual shall have his driver’s license with him.

(3) The holder of a Class M (motorcycle) learner’s instructional permit may:

(i) Transport a motorcycle to the driving test by truck or other vehicle unaccompanied by another individual, if the permit holder is licensed to drive the truck or other vehicle; or

(ii) Be accompanied by a person transporting a motorcycle to the test by truck or other vehicle, if that person is licensed to drive the truck or other vehicle.

(4) The holder of a learner’s instructional permit may be driven to the examination station and to the starting point where the examiner begins the test by any individual authorized to drive the class of vehicle in which the test is being given. That individual shall have a valid driver’s license in the individual’s possession.

16–601.

(a) In this subtitle the following words have the meanings indicated.

(b) “Mobile training center” means a mobile unit equipped and managed by the Administration that may be available for the offering of motorcycle safety courses and for conducting public awareness activities at various locations in the State.

(c) “Motorcycle safety courses” and “courses” mean courses of instruction, designated and approved by the Administration and offered by a training center, in the safe use and operation of motorcycles **OPERATED UNDER A CLASS M DRIVER’S LICENSE**, including instruction in the safe on-road operation of motorcycles, the rules of the road, and the laws of this State relating to motor vehicles.

(d) “Motorcycle safety training center” and “training center” mean places designated and approved by the Administration where approved motorcycle safety courses are offered.

20–113.

(a) (1) The Administration shall prepare and, on request, supply to police departments, sheriffs, and other appropriate agencies or individuals, forms for the written accident reports required by § 20–107 of this title.

(2) The forms shall:

(I) [require] REQUIRE sufficiently detailed information to disclose the cause of the reported accident, the conditions then existing, and the persons and vehicles involved; AND

(II) DISTINGUISH AUTOCYCLES FROM MOTORCYCLES.

(b) Each written accident report required by § 20–107 of this title shall be made on the form that the Administration requires and shall contain all the available information required by the report.

21–1302.

(d) A person may ride on a motorcycle **OPERATED UNDER A CLASS M DRIVER’S LICENSE** only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

(e) A person may not operate a motorcycle while carrying any package, bundle, or other article that prevents [him] **THE PERSON** from keeping both hands on the [handlebars] **STEERING MECHANISM**.

22–412.

(a) Every motor vehicle registered in this State and manufactured or assembled after June 1, 1964, shall be equipped with two sets of seat belts on the front seat of the vehicle.

(b) Every motor vehicle registered in this State and manufactured or assembled with a rear seat after June 1, 1969, shall be equipped with two sets of seat belts on the rear seat of the vehicle.

(c) A person may not sell or offer for sale any vehicle in violation of this section.

(d) For the purpose of this section only, “motor vehicle” does not include any motorcycle **OTHER THAN AN AUTOCYCLE**, bus, truck, or taxicab.

(e) For the purpose of this section only, “seat belt” means any belt, strap, harness, or like device.

(f) A seat belt may not be sold or offered for sale for use in connection with the operation of a motor vehicle in this State after June 1, 1964, unless it meets applicable federal motor vehicle safety standards.

23–104.

(a) Every vehicle driven on the highways in this State shall, where applicable, have the following equipment, meeting or exceeding the standards established jointly by the Administration and the Division: brakes, steering, suspension, horn, door handles, mirrors, tires, exhaust system, lights, glazing, windshield wipers, odometer, speedometer, bumpers, properly aligned wheels, wheels and wheel lugs, fenders, floor pans, hood, hood catches, emissions equipment, fuel system, front seat, motor mounts, gear selection indicator for automatic transmissions, universal joints, and seat belts or combination seat belt–shoulder harness if required as original equipment under § 22–412 or § 22–412.1 of this article.

(b) (1) The Administration and the Division jointly may establish standards by rule or regulation for this equipment.

(2) The Administration and the Division shall adopt, consistent with federal law, regulations establishing equipment, performance, and other technical standards for [low]:

(I) AUTOCYCLES; AND

(II) LOW speed vehicles.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2016.

Approved by the Governor, April 26, 2016.