

HOUSE BILL 46

R7

EMERGENCY BILL

8lr4520
CF SB 15

By: **Delegates Gaines, Frush, Griffith, Healey, Ivey, Malone, Niemann, and
Pena-Melnyk**

Introduced and read first time: October 29, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Motorcycles – Definition**

3 FOR the purpose of altering the definition of “motorcycle” under the Maryland Vehicle
4 Law; making this Act an emergency measure; and generally relating to the
5 definition of motorcycle under the Maryland Vehicle Law.

6 BY repealing and reenacting, with amendments,
7 Article – Transportation
8 Section 11–136
9 Annotated Code of Maryland
10 (2006 Replacement Volume and 2007 Supplement)

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

13 **Article – Transportation**

14 11–136.

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

16 [(1) Has one front wheel and one or two rear wheels on a single axle;
17 however, if it is equipped with two rear wheels on a single axle, the rear tread width
18 may not exceed 25 inches;

19 (2) Is self-propelled by a motor with a rating of more than 1.5 brake
20 horsepower and a capacity of at least 49 cubic centimeters piston displacement;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Has a singular front steering road wheel mounted in a fork
2 assembly that passes through a frame steering bearing and to which is attached a
3 handlebar or other directly operated steering device;

4 (4) Has a seat that is straddled by the driver; and

5 (5) Except for a windshield or windscreen, does not have any enclosure
6 or provision for an enclosure for the driver or any passenger]

7 **(1) HAS MOTIVE POWER;**

8 **(2) HAS A SEAT OR SADDLE FOR THE USE OF THE RIDER;**

9 **(3) IS DESIGNED TO TRAVEL:**

10 **(I) ON NOT MORE THAN THREE WHEELS IN CONTACT WITH**
11 **THE GROUND; AND**

12 **(II) AT SPEEDS EXCEEDING 35 MILES PER HOUR; AND**

13 **(4) IS OF A TYPE REQUIRED TO COMPLY WITH ALL MOTOR**
14 **VEHICLE SAFETY STANDARDS APPLICABLE TO MOTORCYCLES UNDER FEDERAL**
15 **LAW.**

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
18 measure, is necessary for the immediate preservation of the public health or safety,
19 has been passed by a yea and nay vote supported by three-fifths of all the members
20 elected to each of the two Houses of the General Assembly, and shall take effect from
21 the date it is enacted.