

SENATE BILL 372

R7
SB 1035/07 – JPR

EMERGENCY BILL

8lr1998
CF 8lr2001

By: **Senators DeGrange, Gladden, Kramer, and Astle**

Introduced and read first time: January 30, 2008

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Motorcycle – Definition**

3 FOR the purpose of altering the definition of “motorcycle” in the Maryland Vehicle
4 Law to include a motor vehicle that has two front wheels positioned on a single
5 front axle and one rear wheel; making clarifying and conforming changes;
6 making this Act an emergency measure; and generally relating to the definition
7 of “motorcycle”.

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 11–136
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2007 Supplement)

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

15 **Article – Transportation**

16 11–136.

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

18 (1) (I) **HAS NO MORE THAN THREE WHEELS;**

19 (II) **1. HAS one front wheel and one or two rear wheels**
20 **POSITIONED** on a single axle; **OR**

21 **2. HAS TWO FRONT WHEELS POSITIONED ON A**
22 **SINGLE FRONT AXLE AND ONE REAR WHEEL; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (III) [however, if it is] **IF** equipped with two rear wheels on a
2 single axle, [the] **HAS A** rear tread width [may] **THAT DOES** not exceed 25 inches;

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

5 (3) [Has] **MAY HAVE** a singular front steering road wheel mounted in
6 a fork assembly that passes through a frame steering bearing and to which is attached
7 a handlebar or other directly operated steering device;

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

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

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

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