

# SENATE BILL 774

R4, R6

6lr3071  
CF HB 805

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By: **Senator Norman**

Introduced and read first time: February 5, 2016

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Motor Vehicles – Autocycles – Standards and Requirements**

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

17 BY adding to

18 Article – Transportation

19 Section 11–103.3

20 Annotated Code of Maryland

21 (2012 Replacement Volume and 2015 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Transportation

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 11-136, 16-104.1, 16-110(e), 16-601, 20-113, 21-1302(d) and (e), 22-412,  
2 and 23-104  
3 Annotated Code of Maryland  
4 (2012 Replacement Volume and 2015 Supplement)

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

7 **Article – Transportation**

8 **11-103.3.**

9 **“AUTOCYCLE” MEANS A MOTOR VEHICLE THAT:**

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

11 **(2) HAS A STEERING WHEEL;**

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

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

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

18 11-136.

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

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

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

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

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

24 and

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

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

1           **(2) IS AN AUTOCYCLE.**

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

3 16–104.1.

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

7                   (i) Commercial motor vehicles; and

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

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

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

18                   (i) Commercial motor vehicles;

19                   (ii) Motorcycles **OTHER THAN AUTOCYCLES;** and

20                   (iii) Combinations of Class F (tractor) and Class G (trailer) vehicles.

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

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

28                   (i) Commercial motor vehicles; and

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

30           (2) An individual who is issued a noncommercial Class C driver’s license  
31 under this subsection may not drive or attempt to drive a motor vehicle on any highway in

1 this State unless a noncommercial Class C driver's license authorizes the individual to  
2 drive a vehicle of the class that the individual is driving or attempting to drive.

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

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

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

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

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

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

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

16 (f) This section applies to any license issued or renewed on or after January 1,  
17 1990.

18 16-110.

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

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

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

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

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

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

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

10 16-601.

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

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

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

20           (d) "Motorcycle safety training center" and "training center" mean places  
21 designated and approved by the Administration where approved motorcycle safety courses  
22 are offered.

23 20-113.

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

27                   (2) The forms shall:

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

31                           (II) **DISTINGUISH AUTOCYCLES FROM MOTORCYCLES.**

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

1 21-1302.

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

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

8 22-412.

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

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

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

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

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

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

23 23-104.

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

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

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

4                   **(I) AUTOCYCLES; AND**

5                   **(II) LOW speed vehicles.**

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.