

**HOUSE . . . . . No. 3543**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Christina A. Minicucci***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the definition of autocyles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/18/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/23/2021</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>6/29/2021</i>

**HOUSE . . . . . No. 3543**

By Ms. Minicucci of North Andover, a petition (accompanied by bill, House, No. 3543) of Christina A. Minicucci and Marcos A. Devers relative to the definition of autocycles. Transportation.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to the definition of autocycles.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of chapter 90 of the General Laws, as most recently amended by  
2 section 33 of chapter 122 of the acts of 2019, is hereby amended by inserting after the definition  
3 of “auto home” the following definition:-

4 “Autocycle,” a motor vehicle with three wheels on the ground that has a steering wheel  
5 and seating that does not require the operator or passenger to straddle or sit astride it and which  
6 vehicle has been certified to the National Highway Traffic Safety Administration (NHTSA) by  
7 its manufacturer as meeting Federal Motor Vehicle Safety Standards (FMVSS) for a motorcycle  
8 and is designed by its manufacturer to be operated on public ways.

9 SECTION 2. Said chapter 90 is hereby further amended by inserting after section 1I  
10 the following section:-

11 Section 1J. Autocycles.

12 (a) Registration. Notwithstanding the definition of 'Motorcycle' in section 1 and the  
13 provisions of Section 11, the registrar shall register a three-wheeled motor vehicle as an  
14 autocycle if it meets the definition of autocycle in section 1 and other criteria listed herein. The  
15 registrar shall issue an 'Autocycle' registration plate in a size determined by the registrar to be  
16 appropriate. Any vehicle previously registered as a motorcycle that fits the definition of  
17 'Autocycle' shall be registered as an 'Autocycle' upon the expiration of any existing motorcycle  
18 registration.

19 (b) Safety Requirements.

20 (1) Helmets. Every person operating an autocycle or riding as a passenger in an  
21 autocycle shall wear protective head gear conforming with the standards of construction and  
22 performance set forth for motorcycle operators or passengers except when the autocycle has an  
23 enclosed cabin.

24 (2) Safety Belts. Every autocycle shall be equipped by the vehicle's manufacturer with  
25 a safety belt properly anchored to the vehicle or a safety belt approved by the registrar during the  
26 inspection process. Every person operating an autocycle or riding as a passenger in an autocycle  
27 shall be properly secured by a safety belt while the autocycle is in motion.

28 (3) Additional Restriction Concerning Child Passengers in Autocycles. No person  
29 under the age of 8 that measures less than 57 inches in height shall be a passenger in an  
30 autocycle except when the autocycle has an enclosed cabin.

31 (c) Operating License Requirements. An autocycle may be operated by any person  
32 possessing a valid license to operate a motor vehicle. An autocycle shall not be operated by a  
33 person holding only a motorcycle license (Class M).

34           An autocycle shall not be operated by a person holding only a learner's permit, and the  
35 holder of any class of learner's permit may not be tested for any license in an autocycle.

36           (d) Slow-Moving Autocycles. If the autocycle is a low-speed motor vehicle as  
37 described in section 1L of chapter 90, it shall be subject to the provisions said section 1I of said  
38 chapter 90 applicable to low-speed three-wheeled motor vehicles, and the registrar, in exercising  
39 its discretion to determine whether an autocycle is a low-speed vehicle, may issue a distinctive  
40 registration plate for such autocycle indicating its speed restrictions.

41           (e) Regulations. Autocycles shall be considered motorcycles for purposes of  
42 inspections and the registrar may amend its regulations for the inspection of motorcycles under  
43 540 C.M.R. 4.06, where necessary, to apply to autocycles. The registrar shall have the authority  
44 to promulgate additional regulations relative to titling, registration and equipment standards for  
45 autocycles in accordance with this section.

46           (f) Additional Penalties. Any person who operates an autocycle on a way without  
47 wearing protective head gear or safety belts as required herein shall be subject to a fine of not  
48 less than \$25. A person who operates an autocycle on a way without a valid license for operation  
49 of an autocycle or who operates an autocycle with a motorcycle license shall be deemed to be  
50 operating a motor vehicle without a license in violation of section 10.