

SENATE No. 2360

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 autocycles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>8/16/2021</i>

SENATE No. 2360

By Mr. Moore, a petition (accompanied by bill, Senate, No. 2360) of Michael O. Moore for legislation relative to autocycles. Transportation.

The Commonwealth of Massachusetts

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

An Act relative to 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 the
10 following section:-

11 Section 1J. Autocycles.

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

(b) Safety Requirements.

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

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

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

(c) Operating License Requirements. An autocycle may be operated by any person possessing a valid license to operate a motor vehicle. An autocycle shall not be operated by a 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 described
37 in section 1L of chapter 90, it shall be subject to the provisions said section 1I of said chapter 90
38 applicable to low-speed three-wheeled motor vehicles, and the registrar, in exercising its
39 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 inspections
42 and the registrar may amend its regulations for the inspection of motorcycles under 540 C.M.R.
43 4.06, where necessary, to apply to autocycles. The registrar shall have the authority to
44 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 wearing
47 protective head gear or safety belts as required herein shall be subject to a fine of not less than
48 \$25. A person who operates an autocycle on a way without a valid license for operation of an
49 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.