

UNCONVENTIONAL VEHICLE AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stewart Barlow

Senate Sponsor: Karen Mayne

LONG TITLE

Committee Note:

The Transportation Interim Committee recommended this bill.

General Description:

This bill enacts requirements related to an autocycle.

Highlighted Provisions:

This bill:

- ▶ defines an autocycle;
- ▶ makes an autocycle subject to the same requirements as a motorcycle under the Motor Vehicle Act;
- ▶ requires a driver of an autocycle to wear a helmet if the driver is under 18 years of age and the autocycle is not fully enclosed ~~H→~~ **and is not equipped with roll bars** ←H ;
- ▶ defines safety equipment required for an autocycle; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-102, as last amended by Laws of Utah 2014, Chapters 61, 237, and 237

H.B. 38



617 Section 3. Section **41-6a-1505** is amended to read:

618 **41-6a-1505. Motorcycle or motor-driven cycle -- Protective headgear -- Closed**
 619 **cab excepted -- Electric assisted bicycles, motor assisted scooters, electric personal**
 620 **assistive mobility devices.**

621 (1) A person under the age of 18 may not operate or ride any of the following on a
 622 [~~motorcycle or motor-driven cycle on a~~] highway unless the person is wearing protective
 623 headgear [~~which~~] that complies with specifications adopted under Subsection (3)[-]:

624 (a) a motorcycle;

625 (b) a motor-driven cycle; or

626 (c) an auticycle that is not fully enclosed ~~H→~~ and is not equipped with roll bars ←H .

627 (2) This section does not apply to persons riding within an enclosed cab.

628 (3) The following standards and specifications for protective headgear are adopted:

629 (a) 49 C.F.R. 571.218 related to protective headgear for motorcycles; and

630 (b) 16 C.F.R. Part 1203 related to protective headgear for bicycles, motor assisted
 631 scooters, and electric personal assistive mobility devices.

632 (4) A court shall waive \$8 of a fine charged to a person operating a motorcycle or
 633 motor-driven cycle for a moving traffic violation if the person was:

634 (a) 18 years of age or older at the time of operation; and

635 (b) wearing protective headgear that complies with the specifications adopted under
 636 Subsection (3) at the time of operation.

637 (5) The failure to wear protective headgear:

638 (a) does not constitute contributory or comparative negligence on the part of a person
 639 seeking recovery for injuries; and

640 (b) may not be introduced as evidence in any civil litigation on the issue of negligence,
 641 injuries, or the mitigation of damages.

642 (6) Notwithstanding Subsection (4), a court may not waive \$8 of a fine charged to a
 643 person operating a motorcycle or motor-driven cycle for a driving under the influence violation
 644 of Section 41-6a-502.

645 (7) A violation of this section is an infraction.

646 Section 4. Section **41-6a-1506** is amended to read:

647 **41-6a-1506. Motorcycles -- Required equipment -- Brakes.**

648 (1) A motorcycle and a motor-driven cycle shall be equipped with the following items:

649 (a) one head lamp [~~which~~] that, when factory equipped with an automatic lighting
650 ignition system, may not be disconnected;

651 (b) one tail lamp;

652 (c) either a tail lamp or a separate lamp which illuminates the rear license plate with a
653 white light;

654 (d) one red reflector on the rear, either separate or as part of the tail lamp;

655 (e) one stop lamp;

656 (f) a braking system, other than parking brake, in accordance with Section 41-6a-1623;

657 (g) a horn or warning device in accordance with Section 41-6a-1625;

658 (h) a muffler and emission control system in accordance with Section 41-6a-1626;

659 (i) a mirror in accordance with Section 41-6a-1627; and

660 (j) tires in accordance with Section 41-6a-1636.

661 (2) An autocycle shall be equipped with the following items:

662 (a) a seatbelt for each seat installed in the autocycle in accordance with Section
663 41-6a-1628;

664 (b) at least one head lamp that, when factory equipped with an automatic lighting
665 ignition system, may not be disconnected;

666 (c) at least one tail lamp;

667 (d) either a tail lamp or a separate lamp that illuminates the rear license plate with a
668 white light;

669 (e) at least one red reflector, either separate or as part of the tail lamp or tail lamps;

670 (f) at least one stop lamp;

671 (g) a braking system, other than a parking brake, in accordance with Section
672 41-6a-1623;

673 (h) a horn or warning device in accordance with Section 41-6a-1625;

674 (i) a muffler and emission control system in accordance with Section 41-6a-1626

674a **H→ that, when factory equipped, may not be removed ←H :**

675 (j) a mirror in accordance with Section 41-6a-1627; and

676 (k) tires in accordance with Section 41-6a-1636.

677 ~~[(2)]~~ (3) The department may require an inspection of the braking system on a
678 motor-driven cycle and disapprove a braking system that is not designed or constructed as to