

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 2776

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DATE	D-PG	OFFICIAL STATUS
03/17/2016	5092	Introduction and first reading Referred to Transportation and Public Safety
04/06/2016	5661a	Comm report: To pass as amended
	5702	Second reading
04/21/2016	5936	HF substituted on General Orders HF3014

A bill for an act

1.1
 1.2 relating to motor vehicles; establishing regulations for autocycles; amending
 1.3 Minnesota Statutes 2014, sections 65B.48, by adding a subdivision; 169.011,
 1.4 subdivision 44, by adding a subdivision; 169.686, subdivision 1; 169.974,
 1.5 subdivisions 2, 3, 4, 5; 171.01, by adding a subdivision; 171.02, subdivision 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2014, section 65B.48, is amended by adding a
 1.8 subdivision to read:

1.9 Subd. 9. **Autocycle.** Each owner of an autocycle, within the meaning of section
 1.10 169.011, subdivision 3a, registered or required to be registered in this state or operated
 1.11 in this state by the owner or with the owner's permission shall provide and maintain a
 1.12 plan of reparation security either:

1.13 (1) under subdivisions 1 to 3, complying with all obligations under sections 65B.41
 1.14 to 65B.71; or

1.15 (2) under subdivision 5, complying with requirements for motorcycle coverage.

1.16 Sec. 2. Minnesota Statutes 2014, section 169.011, is amended by adding a subdivision
 1.17 to read:

1.18 Subd. 3a. **Autocycle.** "Autocycle" means a motorcycle that:

1.19 (1) has three wheels in contact with the ground;

1.20 (2) is designed with seating that does not require operators or any occupants to
 1.21 straddle or sit astride it;

1.22 (3) has a steering wheel;

1.23 (4) is equipped with antilock brakes; and

2.1 (5) is originally manufactured to meet federal motor vehicle safety standards for
2.2 motorcycles in Code of Federal Regulations, title 49, part 571, and successor requirements.

2.3 Sec. 3. Minnesota Statutes 2014, section 169.011, subdivision 44, is amended to read:

2.4 Subd. 44. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or
2.5 saddle for the use of the rider and designed to travel on not more than three wheels in
2.6 contact with the ground, including motor scooters and autocycles. Motorcycle does not
2.7 include (1) motorized bicycles as defined in subdivision 45, (2) electric-assisted bicycles
2.8 as defined in subdivision 27, or (3) a tractor.

2.9 Sec. 4. Minnesota Statutes 2014, section 169.686, subdivision 1, is amended to read:

2.10 Subdivision 1. **Seat belt requirement.** (a) Except as provided in section 169.685, a
2.11 properly adjusted and fastened seat belt, including both the shoulder and lap belt when
2.12 the vehicle is so equipped, shall be worn by the driver and passengers of a passenger
2.13 vehicle, commercial motor vehicle, type III vehicle, and type III Head Start vehicle.
2.14 Notwithstanding the equipment exemption in section 169.685, subdivision 1, this
2.15 paragraph applies to the driver and passengers of an autocycle equipped with seat belts.

2.16 (b) A person who is 15 years of age or older and who violates paragraph (a) is
2.17 subject to a fine of \$25. The driver of the vehicle in which a violation occurs is subject to
2.18 a \$25 fine for each violation of paragraph (a) by the driver or by a passenger under the
2.19 age of 15, but the court may not impose more than one surcharge under section 357.021,
2.20 subdivision 6, on the driver. The Department of Public Safety shall not record a violation
2.21 of this subdivision on a person's driving record.

2.22 Sec. 5. Minnesota Statutes 2014, section 169.974, subdivision 2, is amended to read:

2.23 Subd. 2. **License endorsement and permit requirements.** (a) No person shall
2.24 operate a motorcycle on any street or highway without having a valid ~~standard~~ driver's
2.25 license with a two-wheeled vehicle endorsement as provided by law. A person may
2.26 operate an autocycle without a two-wheeled vehicle endorsement, provided the person
2.27 has a valid driver's license issued under section 171.02.

2.28 (b) The commissioner of public safety shall issue a two-wheeled vehicle
2.29 endorsement only if the applicant (1) has in possession a valid two-wheeled vehicle
2.30 instruction permit as provided in paragraph ~~(b)~~ (c), (2) has passed a written examination
2.31 and road test administered by the Department of Public Safety for the endorsement, and
2.32 (3) in the case of applicants under 18 years of age, presents a certificate or other evidence
2.33 of having successfully completed an approved two-wheeled vehicle driver's safety course

3.1 in this or another state, in accordance with rules adopted by the commissioner of public
 3.2 safety for courses offered by a public, private, or commercial school or institute. The
 3.3 commissioner of public safety may waive the road test for any applicant on determining
 3.4 that the applicant possesses a valid license to operate a two-wheeled vehicle issued by a
 3.5 jurisdiction that requires a comparable road test for license issuance.

3.6 ~~(b)~~ (c) The commissioner of public safety shall issue a two-wheeled vehicle
 3.7 instruction permit to any person over 16 years of age who (1) is in possession of a valid
 3.8 driver's license, (2) is enrolled in an approved two-wheeled vehicle driver's safety course,
 3.9 and (3) has passed a written examination for the permit and paid a fee prescribed by the
 3.10 commissioner of public safety. A two-wheeled vehicle instruction permit is effective for
 3.11 one year and may be renewed under rules prescribed by the commissioner of public safety.

3.12 ~~(e)~~ (d) No person who is operating by virtue of a two-wheeled vehicle instruction
 3.13 permit shall:

3.14 (1) carry any passengers on the streets and highways of this state on the motorcycle
 3.15 while the person is operating the motorcycle;

3.16 (2) drive the motorcycle at night;

3.17 (3) drive the motorcycle on any highway marked as an interstate highway pursuant
 3.18 to title 23 of the United States Code; or

3.19 (4) drive the motorcycle without wearing protective headgear that complies with
 3.20 standards established by the commissioner of public safety.

3.21 ~~(d)~~ (e) Notwithstanding ~~paragraph (a), (b), or (c)~~ paragraphs (a) to (d), the
 3.22 commissioner of public safety may issue a special motorcycle permit, restricted or
 3.23 qualified as the commissioner of public safety deems proper, to any person demonstrating
 3.24 a need for the permit and unable to qualify for a ~~standard~~ driver's license.

3.25 Sec. 6. Minnesota Statutes 2014, section 169.974, subdivision 3, is amended to read:

3.26 Subd. 3. **Vehicle equipment.** (a) Any motorcycle with a seat designed or suited for
 3.27 use by a passenger ~~shall~~ must be equipped with footrests or floorboards for the passenger.

3.28 (b) No person shall operate any motorcycle on the streets and highways ~~after January~~
 3.29 ~~1, 1971,~~ unless such motorcycle is equipped with:

3.30 (1) at least one rear view mirror so attached and adjusted as to reflect to the operator
 3.31 a view of the roadway for a distance of at least 200 feet to the rear of the motorcycle;
 3.32 and ~~is equipped with~~

3.33 (2) not less than one horn ~~which shall be~~ that is audible at a distance of at least
 3.34 200 feet under normal conditions.

4.1 ~~(b)~~ (c) All other applicable provisions of this chapter pertaining to motorcycle and
 4.2 other motor vehicle equipment shall apply to motorcycles, except those which by their
 4.3 nature have no application.

4.4 Sec. 7. Minnesota Statutes 2014, section 169.974, subdivision 4, is amended to read:

4.5 Subd. 4. **Equipment for operator and passenger.** (a) No person under the age of 18
 4.6 shall operate or ride a motorcycle on the streets and highways of this state without wearing
 4.7 protective headgear that complies with standards established by the commissioner of public
 4.8 safety; and no person shall operate a motorcycle without wearing an eye-protective device.

4.9 (b) The provisions of this subdivision shall do not apply to (1) persons during their
 4.10 participation in a parade for which parade a permit or other official authorization has been
 4.11 granted by a local governing body or other governmental authority, or ~~to~~ (2) persons
 4.12 riding within an enclosed cab autocycle.

4.13 Sec. 8. Minnesota Statutes 2014, section 169.974, subdivision 5, is amended to read:

4.14 Subd. 5. **Driving rules.** (a) An operator of a motorcycle shall must ride only upon a
 4.15 permanent and regular seat which is attached to the vehicle for that purpose. No other
 4.16 person shall ride on a motorcycle, except that passengers may ride (1) upon a permanent
 4.17 and regular operator's seat if designed for two persons, or (2) upon additional seats
 4.18 attached to or in the vehicle ~~to the rear of the operator's seat~~, or (3) in a sidecar attached
 4.19 to the vehicle; ~~provided, however, that~~. The operator of a motorcycle shall not carry is
 4.20 prohibited from carrying passengers in a number in excess of the designed capacity of the
 4.21 motorcycle or sidecar attached to it. ~~No~~ A passenger shall be is prohibited from being
 4.22 carried in a position that ~~will interfere~~ interferes with the safe operation of the motorcycle
 4.23 or the view of the operator.

4.24 (b) No person shall ride upon a motorcycle as a passenger unless, ~~when sitting~~
 4.25 ~~astride the seat~~, the person can reach the footrests or floorboards with both feet.

4.26 (c) ~~No person~~, Except for passengers of sidecars or drivers and passengers of
 4.27 three-wheeled motorcycles, and persons in an autocycle, no person shall operate or ride
 4.28 upon a motorcycle except while sitting astride the seat, facing forward, with one leg
 4.29 on either side of the motorcycle.

4.30 (d) No person shall operate a motorcycle while carrying animals, packages, bundles,
 4.31 or other cargo which prevent the person from keeping both hands on the handlebars.

4.32 (e) No person shall operate a motorcycle between lanes of moving or stationary
 4.33 vehicles headed in the same direction, nor shall any person drive a motorcycle abreast of
 4.34 or overtake or pass another vehicle within the same traffic lane, ~~except that~~. Motorcycles

5.1 may, with the consent of both drivers, be operated not more than two abreast in a single
 5.2 traffic lane if the vehicles fit safely within the designated space of the lane.

5.3 (f) Motor vehicles including motorcycles are entitled to the full use of a traffic lane
 5.4 and no motor vehicle may be driven or operated in a manner so as to deprive a motorcycle
 5.5 of the full use of a traffic lane.

5.6 (g) A person operating a motorcycle upon a roadway must be granted the rights and
 5.7 is subject to the duties applicable to a motor vehicle as provided by law, except as to those
 5.8 provisions which by their nature can have no application.

5.9 (h) Paragraph (e) of this subdivision does not apply to police officers in the
 5.10 performance of their official duties.

5.11 (i) No person shall operate a motorcycle on a street or highway unless the headlight
 5.12 or headlights are lighted at all times the motorcycle is so operated.

5.13 (j) A person parking a motorcycle on the roadway of a street or highway must:

5.14 (1) if parking in a marked parking space, park the motorcycle completely within the
 5.15 marked space; and

5.16 (2) park the motorcycle in such a way that the front of the motorcycle is pointed or
 5.17 angled toward the nearest lane of traffic to the extent practicable and necessary to allow
 5.18 the operator to (i) view any traffic in both directions of the street or highway without
 5.19 having to move the motorcycle into a lane of traffic and without losing balance or control
 5.20 of the motorcycle, and (ii) ride the motorcycle forward and directly into a lane of traffic
 5.21 when the lane is sufficiently clear of traffic.

5.22 Sec. 9. Minnesota Statutes 2014, section 171.01, is amended by adding a subdivision
 5.23 to read:

5.24 Subd. 18a. **Autocycle.** "Autocycle" has the meaning given in section 169.011,
 5.25 subdivision 3a.

5.26 Sec. 10. Minnesota Statutes 2014, section 171.02, subdivision 2, is amended to read:

5.27 Subd. 2. **Driver's license classifications, endorsements, exemptions.** (a) Drivers'
 5.28 licenses are classified according to the types of vehicles that may be driven by the holder
 5.29 of each type or class of license. The commissioner may, as appropriate, subdivide the
 5.30 classes listed in this subdivision and issue licenses classified accordingly.

5.31 (b) Except as provided in paragraph (c), clauses (1) and (2), this subdivision and
 5.32 subdivision 2a, no class of license is valid to operate a motorcycle, school bus, tank
 5.33 vehicle, double-trailer or triple-trailer combination, vehicle transporting hazardous

6.1 materials, or bus, unless so endorsed. There are four general classes of licenses as
6.2 described in paragraphs (c) through (f).

6.3 (c) Class D drivers' licenses are valid for:

6.4 (1) operating all farm trucks if the farm truck is:

6.5 (i) controlled and operated by a farmer, including operation by an immediate family
6.6 member or an employee of the farmer;

6.7 (ii) used to transport agricultural products, farm machinery, or farm supplies,
6.8 including hazardous materials, to or from a farm;

6.9 (iii) not used in the operations of a common or contract motor carrier as governed by
6.10 Code of Federal Regulations, title 49, part 365; and

6.11 (iv) used within 150 miles of the farm;

6.12 (2) notwithstanding paragraph (b), operating an authorized emergency vehicle, as
6.13 defined in section 169.011, subdivision 3, whether or not in excess of 26,000 pounds
6.14 gross vehicle weight;

6.15 (3) operating a recreational vehicle as defined in section 168.002, subdivision 27,
6.16 that is operated for personal use;

6.17 (4) operating all single-unit vehicles except vehicles with a gross vehicle weight of
6.18 more than 26,000 pounds, vehicles designed to carry more than 15 passengers including
6.19 the driver, and vehicles that carry hazardous materials;

6.20 (5) notwithstanding paragraph (d), operating a type A school bus or a multifunction
6.21 school activity bus without a school bus endorsement if the requirements of subdivision 2a
6.22 are satisfied, as determined by the commissioner;

6.23 (6) operating any vehicle or combination of vehicles when operated by a licensed
6.24 peace officer while on duty;

6.25 (7) towing vehicles if:

6.26 (i) the towed vehicles have a gross vehicle weight of 10,000 pounds or less; or

6.27 (ii) the towed vehicles have a gross vehicle weight of more than 10,000 pounds and
6.28 the combination of vehicles has a gross vehicle weight of 26,000 pounds or less; ~~and~~

6.29 (8) operating a covered farm vehicle as defined in Code of Federal Regulations,
6.30 title 49, section 390.5, that is not carrying hazardous materials of a type or quantity that
6.31 requires the vehicle to be placarded in accordance with Code of Federal Regulations, title
6.32 49, section 172.504-; and

6.33 (9) operating an autocycle.

6.34 (d) Class C drivers' licenses are valid for:

6.35 (1) operating class D motor vehicles;

7.1 (2) with a hazardous materials endorsement, operating class D vehicles to transport
7.2 hazardous materials;

7.3 (3) with a passenger endorsement, operating buses; and

7.4 (4) with a passenger endorsement and school bus endorsement, operating school
7.5 buses.

7.6 (e) Class B drivers' licenses are valid for:

7.7 (1) operating all class C motor vehicles, class D motor vehicles, and all other
7.8 single-unit motor vehicles including, with a passenger endorsement, buses; and

7.9 (2) towing only vehicles with a gross vehicle weight of 10,000 pounds or less.

7.10 (f) Class A drivers' licenses are valid for operating any vehicle or combination of
7.11 vehicles.