

2016 Regular Session

SENATE BILL NO. 50

BY SENATOR GARY SMITH

MOTOR VEHICLES. Amends definition of autocycle applicable to operator's helmet exemption and driver's license endorsement requirement. (8/1/16)

1 AN ACT

2 To amend and reenact R.S. 32:1(1.1), 190(D), 401(2), and 408(C)(3), relative to autocycles;
3 to amend the definition of autocycle applicable to operators and passengers for a
4 helmet exemption; to amend the definition of autocycle applicable for an exemption
5 for certain driver's license endorsements for operators; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:1(1.1), 190(D), 401(2), and 408(C)(3) are hereby amended and
9 reenacted to read as follows:

10 §1. Definitions

11 When used in this Chapter, the following words and phrases have the
12 meanings ascribed to them in this Section, unless the context clearly indicates a
13 different meaning:

14 * * *

15 (1.1)(a) "Autocycle" means an enclosed motorcycle that is equipped with
16 safety belts, rollbar or roll cage, ~~windshield wipers~~, steering wheel, and equipment
17 otherwise required on a motorcycle and that has no more than three wheels in contact

1 with the roadway at any one time.

2 (b) For purposes of this Paragraph, "roll cage" shall mean a ~~hardtop enclosure~~
3 ~~protecting occupants from the elements~~ **support** that will ~~support~~ **bear** the vehicle's
4 weight and is so designed as to protect the occupants when the vehicle is resting on
5 this ~~enclosure~~ **support**.

6 * * *

7 §190. Safety helmets

8 * * *

9 D. This Section does not apply to a person operating or riding in an autocycle
10 if the vehicle is equipped with a ~~roof~~ **support** that meets or exceeds standards for a
11 safety helmet or a roll cage. As used in this Subsection, "roll cage" shall mean a
12 ~~hardtop enclosure protecting occupants from the elements~~ **support** that will ~~support~~
13 **bear** the vehicle's weight and is so designed as to protect the occupants when the
14 vehicle is resting on this ~~enclosure~~ **support**.

15 * * *

16 §401. Definitions

17 The following words and phrases when used in this Chapter shall have the
18 meaning herein assigned unless the context clearly indicates otherwise:

19 * * *

20 (2)(a) "Autocycle" means a three-wheeled motorcycle on which the driver
21 and all passengers ride in a ~~completely enclosed~~ **side-by-side** seating area that is
22 equipped with a roll cage, safety belts for all occupants, ~~airbag protection, antilock~~
23 ~~brakes~~, and is designed to be controlled with a steering wheel and pedals.

24 (b) For purposes of this Paragraph, "roll cage" shall mean ~~hardtop enclosure~~
25 ~~protecting occupants from the elements~~ **support** that will ~~support~~ **bear** the vehicle's
26 weight and is so designed as to protect the occupants when the vehicle is resting on
27 this ~~enclosure~~ **support**.

28 * * *

29 §408. Examination of applicants required; classes of licenses

1 * * *

2 C.

3 * * *

4 (3) The provisions of Paragraph (1) of this Subsection shall not apply to
5 autocycles as defined by R.S. ~~32:401(24)~~ **32:401(2)**. As such, the operation of an
6 autocycle shall not require a special endorsement but shall only require that the
7 operator hold a valid driver's license.

8 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

SB 50 Original

2016 Regular Session

Gary Smith

Present law defines "autocycle" to mean an enclosed motorcycle that is equipped with safety belts, rollbar or roll cage, windshield wipers, steering wheel, and equipment otherwise required on a motorcycle and that has no more than three wheels in contact with the roadway at any one time.

Proposed law removes requirement for windshield wipers from the definition of "autocycle" in present law.

Present law defines "roll cage" as used in the definition of "autocycle" to mean a hardtop enclosure protecting occupants from the elements that will support the vehicle's weight and is designed to protect the occupants when the vehicle is resting on this enclosure.

Proposed law changes the definition of "roll cage" used in the definition of "autocycle" to mean a support that will bear the vehicle's weight and is designed to protect the occupants when the vehicle is resting on this support.

Present law exempts persons operating or riding in an autocycle with a roof that meets or exceeds standards from having to wear a safety helmet. Also, defines "roll cage" in the context of autocycles for which the exemption applies.

Proposed law retains present law but changes "roof" to "support" and changes definition of "roll cage" in the context of an autocycle for which the exemption applies to mean a support that will bear the vehicle's weight and is so designed as to protect the occupants when the vehicle is resting on this support.

Present law exempts operators of autocycles with certain features from requirement to obtain a special endorsement on their driver's license.

Proposed law changes definition of "autocycle" in the context of an autocycle for which a special endorsement exemption applies to change seating area from a "completely enclosed" to a "side-by-side" seating area and to remove from the definition requirements for "airbag protection" and "antilock brakes".

Proposed law further changes the definition of "roll cage" as used in the definition of "autocycle" to mean a support that will bear the vehicle's weight and is so designed as to protect the occupants when the vehicle is resting on this support.

Effective August 1, 2016.

(Amends R.S. 32:1(1.1), 190(D), 401(2) and 408(C)(3))