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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR SCOOTERS

Introduced By: Representatives Trillo, Costa, and Giarrusso

Date Introduced: June 06, 2013

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-1-3 of the General Laws in Chapter 31-1 entitled "Definitions
2 and General Code Provisions" is hereby amended to read as follows:

3 **31-1-3. Types of vehicles.** -- (a) (1) "Antique motor car" means any motor vehicle which
4 is more than twenty-five (25) years old. Unless fully inspected and meeting inspection
5 requirements, the vehicle may be maintained solely for use in exhibitions, club activities, parades,
6 and other functions of public interest and may not be used primarily for the transportation of
7 passengers or goods over any public highway;

8 (2) After the vehicle has met the requirements of state inspection, a registration plate
9 may be issued to it on payment of the standard fee. The vehicle may be operated on the highways
10 of this and other states, and may in addition to the registration plate retain the designation
11 "antique" and display an "antique plate".

12 (b) (1) "Antique motorcycle" means any motorcycle which is more than twenty-five (25)
13 years old. Unless fully inspected and meeting inspection requirements, the vehicle shall be
14 maintained solely for use in exhibitions, club activities, parades, and other functions of public
15 interest and may not be used primarily for the transportation of passengers or goods over any
16 public highway;

17 (2) After the vehicle has met the requirements of state inspection, a registration plate
18 may be issued to it on payment of the standard fee, and the vehicle may be operated on the
19 highways of this and other states, and may in addition to the registration plate retain the

1 designation "antique" and display an "antique plate".

2 (c) "Authorized emergency vehicle" means vehicles of the fire department (fire patrol),
3 police vehicles, vehicles used by Rhode Island state marshals in the department of corrections,
4 vehicles used by the state bomb squad within the division of state fire marshal, vehicles of
5 municipal departments or public service corporations designated or authorized by the
6 administrator as ambulances and emergency vehicles; and privately owned motor vehicles of
7 volunteer firefighters or privately owned motor vehicles of volunteer ambulance drivers or
8 attendants, as authorized by the department chief or commander and permitted by the Rhode
9 Island association of fire chiefs and Rhode Island association of police chiefs joint committee for
10 volunteer warning light permits.

11 (d) "Automobile" means, for registration purposes, every motor vehicle carrying
12 passengers other than for hire.

13 (e) "Bicycle" means every vehicle having two (2) tandem wheels, except scooters and
14 similar devices, propelled exclusively by human power, and upon which a person may ride.

15 (f) "Camping recreational vehicle" means a vehicular type camping unit, certified by the
16 manufacturer as complying with ANSI A119.2 Standards designed primarily as temporary living
17 quarters for recreation that has either its own motive power or is mounted on or towed by another
18 vehicle. The basic units are tent trailers, fifth-wheel trailers, motorized campers, travel trailers,
19 and pick-up campers.

20 (g) "Electric motorized bicycles" means a motorized bicycle which may be propelled by
21 human power or electric motor power, or by both, with an electric motor rated not more than two
22 (2) (S.A.E.) horsepower, which is capable of a maximum speed of not more than twenty-five (25)
23 miles per hour.

24 (h) "Electric personal assistive mobility device" ("EPAMD") is a self-balancing two (2)
25 non-tandem wheeled device, designed to transport only one person, with an electric propulsion
26 system which limits the maximum speed of the device to fifteen (15) miles per hour.

27 (i) Fifth-wheel trailer: A towable recreational vehicle, not exceeding four hundred (400)
28 square feet in area, designed to be towed by a motorized vehicle that contains a towing
29 mechanism that is mounted above or forward of the tow vehicle's rear axle and which is eligible
30 to be registered for highway use.

31 (j) "Hearse" means every motor vehicle used for transporting human corpses. A hearse
32 shall be considered an automobile for registration purposes.

33 (k) "Jitney or bus" means: (1) a "public bus" which includes every motor vehicle, trailer,
34 semi-trailer, tractor trailer, or tractor trailer combination, used for the transportation of passengers

1 for hire, and operated wholly or in part upon any street or highway as a means of transportation
2 similar to that afforded by a street railway company, by indiscriminately receiving or discharging
3 passengers, or running on a regular route or over any portion of one, or between fixed termini; or
4 (2) a "private bus" which includes every motor vehicle other than a public bus or passenger van
5 designed for carrying more than ten (10) passengers and used for the transportation of persons,
6 and every motor vehicle other than a taxicab designed and used for the transportation of persons
7 for compensation.

8 (l) "Motorcycle" means only those motor vehicles having not more than three (3) wheels
9 in contact with the ground and a saddle on which the driver sits astride, except bicycles with
10 helper motors as defined in subsection (n) of this section.

11 (m) "Motor-driven cycle" means every motorcycle, including every motor scooter, with
12 a motor of no greater than five (5) horsepower, except bicycles with helper motors as defined in
13 subsection (n) of this section.

14 (n) "Motorized bicycles" means two (2) wheel vehicles which may be propelled by
15 human power or helper power, or by both, with a motor rated not more than four and nine-tenths
16 (4.9) horsepower and not greater than fifty (50) cubic centimeters, which are capable of a
17 maximum speed of not more than thirty (30) miles per hour.

18 (o) Motorized camper: A camping recreational vehicle, built on or permanently attached
19 to a self-propelled motor vehicle chassis cab or van that is an integral part of the completed
20 vehicle.

21 (p) "Motorized tricycles" means tricycles which may be propelled by human power or
22 helper motor, or by both, with a motor rated no more than 1.5 brake horsepower which is capable
23 of a maximum speed of not more than thirty (30) miles per hour.

24 (q) "Motorized wheelchair" means any self-propelled vehicle, designed for and used by a
25 person with a disability, that is incapable of speed in excess of eight (8) miles per hour.

26 (r) "Motor scooter" means a motor-driven cycle with a motor rated ~~not more than four~~
27 ~~and nine tenths (4.9) horsepower and~~ not greater than ~~fifty (50)~~ one hundred fifty (150) cubic
28 centimeters, which is capable of a maximum speed of not more than thirty (30) miles per hour.

29 (s) "Motor vehicle" means every vehicle which is self-propelled or propelled by electric
30 power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved
31 exclusively by human power, an EPAMD and electric motorized bicycles as defined in subsection
32 (g) of this section, and motorized wheelchairs.

33 (t) "Motor vehicle for hire" means every motor vehicle other than jitneys, public buses,
34 hearses, and motor vehicles used chiefly in connection with the conduct of funerals, to transport

1 persons for compensation in any form, or motor vehicles rented for transporting persons either
2 with or without furnishing an operator.

3 (u) Park trailer: A camping recreational vehicle that is eligible to be registered for
4 highway use and meets the following criteria: (1) built on a single chassis mounted on wheels;
5 and (2) certified by the manufacturer as complying with ANSI A119.5.

6 (v) "Passenger van" means every motor vehicle capable of carrying ten (10) to fourteen
7 (14) passengers plus an operator and used for personal use or on a not-for-hire basis. Passenger
8 vans may be used for vanpools, transporting passengers to and from work locations, provided that
9 the operator receives no remuneration other than free use of the vehicle.

10 (w) "Pedal carriages" (also known as "quadricycles") means a nonmotorized bicycle with
11 four (4) or more wheels operated by one or more persons for the purpose of, or capable of,
12 transporting additional passengers in seats or on a platform made a part of or otherwise attached
13 to the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed
14 to it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the
15 transportation of a handicapped person, nor shall it include a tricycle built for a child or an adult
16 with a seat for only one operator and no passenger.

17 (x) Pick-up camper: A camping recreational vehicle consisting of a roof, floor, and sides
18 designed to be loaded onto and unloaded from the back of a pick-up truck.

19 (y) "Rickshaws" (also known as "pedi cabs") means a nonmotorized bicycle with three
20 (3) wheels operated by one person for the purpose of, or capable of, transporting additional
21 passengers in seats or on a platform made a part of or otherwise attached to the rickshaw. This
22 definition shall not include a bicycle built for two (2) where the operators are seated one behind
23 the other, nor shall it include the operation of a bicycle with trainer or beginner wheels affixed
24 thereto, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for
25 the transportation of a handicapped person.

26 (z) "School bus" means every motor vehicle owned by a public or governmental agency,
27 when operated for the transportation of children to or from school; or privately owned, when
28 operated for compensation for the transportation of children to or from school.

29 (aa) "Suburban vehicle" means every motor vehicle with a convertible or
30 interchangeable body or with removable seats, usable for both passenger and delivery purposes,
31 and including motor vehicles commonly known as station or depot wagons or any vehicle into
32 which access can be gained through the rear by means of a hatch or trunk and where the rear seats
33 can be folded down to permit the carrying of articles as well as passengers.

34 (bb) Tent trailer: A towable recreational vehicle that is mounted on wheels and

1 constructed with collapsible partial side walls that fold for towing by another vehicle and unfold
2 for use and which is eligible to be registered for highway use.

3 (cc) "Trackless trolley coach" means every motor vehicle which is propelled by electric
4 power obtained from overhead trolley wires, but not operated on rails.

5 (dd) Travel trailer: A towable recreational vehicle, not exceeding three hundred twenty
6 (320) square feet in area, designed to be towed by a motorized vehicle containing a towing
7 mechanism that is mounted behind the tow vehicle's bumper and which is eligible to be registered
8 for highway use.

9 (ee) "Vehicle" means every device in, upon, or by which any person or property is or
10 may be transported or drawn upon a highway, except devices used exclusively upon stationary
11 rails or tracks.

12 SECTION 2. Sections 31-10.1-1 and 31-10.1-3 of the General Laws in Chapter 31-10.1
13 entitled "Special License for Motorcycles, Motor Scooters, and Other Motor Driven Cycles" are
14 hereby amended to read as follows:

15 **31-10.1-1. License required.** -- No resident of this state, except those expressly
16 exempted in this chapter, shall drive any motorcycle or motor-driven cycle upon a highway in this
17 state, unless the person shall first obtain a special license as an operator under the provisions of
18 this chapter; provided, however, motorized bicycles and motor scooters with a motor rated not
19 more than four and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters,
20 which is capable of a maximum speed of not more than thirty (30) miles per hour, shall be
21 exempt from the provisions of this section, [but the driver of a motor scooter with a motor greater](#)
22 [than fifty \(50\) cubic centimeters shall require a special license.](#) No person shall be licensed
23 pursuant to this chapter unless he or she shall be at least sixteen (16) years of age or unless the
24 person previously has been issued a full operator's license and a motorcycle learner's permit or is
25 already licensed under a prior act of this state. Any person under the age of eighteen (18) duly
26 licensed under the prior act shall be eligible to have his or her license renewed in the same
27 manner as persons over the age of eighteen (18). All licenses issued pursuant to this chapter shall
28 reflect any requirement of the operator to wear a helmet pursuant to section 31-10.1-4.

29 **31-10.1-3. Examination.** -- (a) All applicants for a motorcycle, motor scooter, or motor-
30 driven cycle license, except those exempted in this chapter, shall pass a written, vision, road sign,
31 and road test as prescribed by the administrator of the division of motor vehicles in a vehicle
32 supplied by the applicant. [An applicant for a motorcycle, motor scooter, or motor-driven cycle](#)
33 [license shall take the road test on the type of vehicle for the operation of which the license is](#)
34 [being sought.](#)

1 (b) An applicant who within six (6) months of having been certified by the department of
2 elementary and secondary education as having passed a written examination, road sign, and road
3 test administered by that department, shall, upon completion of an eyesight test by the division of
4 motor vehicles, be considered in compliance with this section.

5 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would amend the definition of motor scooter and would provide that the road test
2 for a motor scooter with greater than a fifty (50) cubic centimeter engine capacity would be taken
3 on a motor scooter.

4 This act would take effect upon passage.

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