



Senate Fiscal Agency
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Senate Bill 390 (as enacted)
Sponsor: Senator John Moolenaar
Senate Committee: Transportation
House Committee: Transportation and Infrastructure

PUBLIC ACT 177 of 2013

Date Completed: 4-2-14

RATIONALE

Previously, the Michigan Vehicle Code required a person to obtain a motorcycle endorsement on his or her driver license in order to operate an autocycle. (The Code defines "autocycle" as an enclosed motorcycle that is equipped with safety belts, rollbar, windshield, wipers, steering wheel, and equipment otherwise required on a motorcycle, and that has not more than three wheels in contact with the roadway at any one time.) Concerns were raised regarding this requirement. Evidently, by virtue of its design and capability, an autocycle is more like a traditional automobile than a motorcycle, and cannot perform the maneuvers necessary to pass the driving test that is required for a motorcycle endorsement. Thus, it was suggested that the Code should allow a person to operate an autocycle without a motorcycle endorsement.

CONTENT

The bill amended the Michigan Vehicle Code to remove the requirement that a person obtain a motorcycle endorsement on his or her license in order to operate an autocycle.

The Code requires a person to obtain a motorcycle endorsement on his or her operator's or chauffeur's license before operating a motorcycle on a public street or highway. The bill refers to a motorcycle other than an autocycle.

The Code also provides that a motorcycle endorsement issued to a person who operates a three-wheeled motorcycle is restricted to operation of that type of motorcycle, and does not permit operation of a two-wheeled motorcycle. Previously, this applied to a three-wheeled motorcycle or an autocycle. The bill refers to a three-wheeled motorcycle other than an autocycle.

Previously, the Secretary of State was required to develop a driving test for an autocycle or a three-wheeled motorcycle. The bill requires this for a three-wheeled motorcycle other than an autocycle.

The bill took effect on November 26, 2013.

MCL 257.312 & 257.312b

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Although autocycles are motorcycles by definition, they are more similar to traditional automobiles, and their operators should not have to obtain a motorcycle endorsement. Under the

bill, autocycles still are considered motorcycles subject to the other rules and regulations for motorcycles under the Code, but a motorcycle endorsement is no longer required.

The test for a motorcycle endorsement is designed to accommodate motorcycle configurations with motorcycle controls, and does not accommodate autocycles. Reportedly, autocycles typically have a front tread width of 70 inches, which makes it impossible for them to execute the turns that the motorcycle endorsement test requires. Also, autocycles apparently cannot meet the motorcycle stop test.

It is appropriate to treat autocycles as automobiles for the purpose of licensure. Driving an autocycle is more similar to driving a traditional automobile than operating a motorcycle. An autocycle is enclosed, has a steering wheel, is equipped with gas and brake pedals, and handles similarly to an automobile. In contrast, a motorcycle has handlebars, is equipped with gas and brake hand controls, and does not handle like an automobile. The State previously distinguished autocycles from traditional motorcycles by exempting autocycle operators from motorcycle helmet requirements.

In addition, since the motorcycle endorsement test is incompatible with autocycle capabilities, the license endorsement requirement might have caused uncertainty for interested investors and consumers, thus lowering sales potential and hurting this growing industry. By deleting the requirement, the bill may encourage the autocycle industry to expand in Michigan.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill will have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.