

# STATE OF NEW YORK

7857

## IN SENATE

March 5, 2018

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the registration and operation of autocycles; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 article 48-D to read as follows:

### ARTICLE 48-D

#### REGISTRATION OF AUTOCYCLES

##### Section 2500. Definitions.

###### 2501. Registration.

###### 2502. Revocation and suspension.

###### 2503. Display of registration number plate or plates.

###### 2504. Equipment, inspection and insurance.

###### 2505. Dealers and manufacturers.

###### 2506. Exemptions.

###### 2507. Rules and regulations.

13 § 2500. Definitions. As used in this article: 1. "Autocycle" means a  
14 three-wheeled motor vehicle that has a steering wheel and seating which  
15 does not require the operator to straddle or sit astride and is manufac-  
16 tured to comply with federal safety requirements for motorcycles.

17 2. "Dealer" means any person engaged in the business of selling auto-  
18 cycles at wholesale or retail.

19 § 2501. Registration. 1. Notwithstanding section four hundred ten-a of  
20 this chapter and except as hereinafter provided, no person shall operate  
21 any autocycle on a public highway or street within this state unless  
22 such autocycle has been registered in accordance with article fifteen of  
23 this chapter, the registration for such autocycle is in full force and  
24 effect and the registration number plate or plates are displayed as  
25 hereinafter provided.

26 2. The fees for the registration, renewal, reregistration or amendment  
27 or duplicate of a registration of an autocycle shall be the same fees as

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 if such vehicle were registered pursuant to section four hundred ten of  
2 this chapter.

3 3. Every person operating an autocycle registered in accordance with  
4 any of the provisions of this article, shall, upon the demand of any  
5 magistrate, police officer, peace officer, when acting pursuant to his  
6 or her special duties, or motor vehicle hearing officer, produce for  
7 inspection the certificate of registration for such autocycle and shall  
8 furnish to such person any information necessary for the identification  
9 of such autocycle and its owner. The failure to produce the certificate  
10 of registration as provided herein shall not be an offense, but shall be  
11 presumptive evidence of the operation of an autocycle not registered as  
12 required by this article.

13 4. The registration provisions of this article shall not apply to a  
14 non-resident who has registered his or her autocycle in compliance with  
15 the registration or licensing laws of the state, province or country of  
16 his or her residence, provided that the autocycle is appropriately iden-  
17 tified by an identification plate, sticker or other identifying device  
18 issued by such state, province or country.

19 § 2502. Revocation and suspension. The registration of an autocycle  
20 may be revoked or suspended in the same manner and to the same effect as  
21 that of a motorcycle registered pursuant to article fifteen of this  
22 chapter.

23 § 2503. Display of registration number plate or plates. 1. The regis-  
24 tration number plate or plates assigned to an autocycle shall be  
25 displayed on the autocycle at all times such vehicle is operated on the  
26 public highways in such manner as the commissioner may, by regulation,  
27 prescribe. One or two registration number plates, as determined by the  
28 commissioner, shall be issued by the commissioner for an autocycle. No  
29 number other than the registration number plate assigned to an autocycle  
30 by the commissioner, or the identification number of the registration  
31 issued by another state shall be painted, attached or otherwise  
32 displayed on an autocycle when such autocycle is being operated on a  
33 public highway. Nothing herein shall prohibit the display of a vehicle  
34 identification number plate or number affixed by the manufacturer or his  
35 or her agent in accordance with section four hundred fifteen of this  
36 chapter.

37 2. Dealer demonstrator number plates shall conform to the requirements  
38 set forth in subdivision one of this section with the exception that  
39 such number plates may be temporarily but firmly affixed to the autocy-  
40 cle being demonstrated or tested.

41 3. The use of dealer demonstrator number plates shall be subject to  
42 the provisions of sections four hundred fifteen and four hundred sixteen  
43 of this chapter.

44 4. No dealer shall permit a dealer demonstrator number plate to be  
45 used on any autocycle unless such autocycle would qualify for the iss-  
46 uance of such a number plate when registered.

47 § 2504. Equipment, inspection and insurance. 1. An autocycle shall be  
48 manufactured to comply with federal safety requirements for a motorcycle  
49 and, as otherwise provided pursuant to this section, shall be subject to  
50 the equipment requirements of this chapter that are applicable to a  
51 motorcycle. The equipment and operator of an autocycle shall be subject  
52 to the requirements of subdivisions six, seven, nine, nine-a and ten of  
53 section three hundred eighty-one of this chapter; provided however, that  
54 the commissioner may, by regulation, provide for different equipment  
55 requirements for different types of autocycles. No person shall operate  
56 an autocycle on the public highways of this state in violation of the

1 provisions of this section or regulations promulgated by the commission-  
2 er thereunder.

3 2. Autocycles shall be subject to the inspection requirements of arti-  
4 cle five of this chapter. The commissioner may, by regulation, provide  
5 for different inspection procedures for different types of autocycles.

6 3. The insurance provisions of articles six, seven and eight of this  
7 chapter shall be applicable to autocycles.

8 § 2505. Dealers and manufacturers. 1. No person shall engage in the  
9 business of selling autocycles unless there shall have been issued to  
10 the person a dealer registration in accordance with section four hundred  
11 fifteen of this chapter. The commissioner may, by regulation, provide  
12 for identification of dealers as dealers of autocycles, and the commis-  
13 sioner shall make provisions for the issuance of appropriate dealer  
14 demonstrator number plates to such dealers.

15 2. No dealer shall acquire any autocycles for the purpose of resale  
16 for use on the public highways within this state unless such autocycles  
17 have a vehicle identification number in a form and manner acceptable to  
18 the commissioner permanently affixed to the frame by the manufacturer or  
19 authorized agent of the manufacturer.

20 3. The commissioner may prescribe, by regulation, procedures to be  
21 followed by dealers with respect to record keeping and documents  
22 required upon the sale of an autocycle, and procedures to be followed by  
23 manufacturers with respect to the assignment and affixing of vehicle  
24 identification numbers.

25 § 2506. Exemptions. 1. Fire and police vehicles are exempt from the  
26 provisions of this article, except that the operator of such a vehicle  
27 shall be required to be licensed as provided in article nineteen of this  
28 chapter.

29 2. Any autocycle registered pursuant to this article that would be  
30 exempt from the payment of registration fees if such vehicle were regis-  
31 tered pursuant to title four of this chapter, shall be exempt from the  
32 payment of registration fees under this article.

33 § 2507. Rules and regulations. The commissioner is hereby empowered to  
34 make such rules and regulations as he or she may deem necessary to carry  
35 out the provisions of this article.

36 § 2. Subparagraphs (iv), (vii) and (viii) of paragraph (a) of subdivi-  
37 sion 2 of section 501 of the vehicle and traffic law, subparagraph (iv)  
38 as amended by chapter 339 of the laws of 2005 and subparagraphs (vii)  
39 and (viii) as added by chapter 173 of the laws of 1990, are amended to  
40 read as follows:

41 (iv) Class D. Such license shall be valid to operate any passenger or  
42 limited use automobile, autocycle, or any truck with a GVWR of not more  
43 than twenty-six thousand pounds or any such vehicle towing a vehicle  
44 with a GVWR of not more than ten thousand pounds, or any such vehicle  
45 towing another vehicle with a GVWR of more than ten thousand pounds  
46 provided such combination of vehicles has a GCWR of not more than twen-  
47 ty-six thousand pounds, or any personal use vehicle with a GVWR of not  
48 more than twenty-six thousand pounds or any such vehicle towing a vehi-  
49 cle with a GVWR of not more than ten thousand pounds, except it shall  
50 not be valid to operate a tractor, a motorcycle other than a class B or  
51 C limited use motorcycle, a vehicle used to transport passengers for  
52 hire or for which a hazardous materials endorsement is required, or a  
53 vehicle defined as a bus in subdivision one of section five hundred  
54 nine-a of this title.

1 (vii) Class M. Such license shall be valid to operate any motorcycle,  
2 or any motorcycle, other than a limited use motorcycle, towing a  
3 trailer, or an autocycle.  
4 (viii) Class MJ. Such license shall be valid to operate any motorcycle  
5 or limited use motorcycle, but not an autocycle, by a person under eigh-  
6 teen years of age. Such license shall automatically become a class M  
7 license when the holder becomes eighteen years of age.  
8 § 3. This act shall take effect on the one hundred eightieth day after  
9 it shall have become a law and shall expire and be deemed repealed 5  
10 years after such date.