

Regular Session, 2013

HOUSE BILL NO. 218

BY REPRESENTATIVES NORTON AND PATRICK WILLIAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES: Exempts operators of certain autocycles from requirements to obtain an "M" endorsement or wear a safety helmet

1 AN ACT

2 To amend and reenact R.S. 32:1(1.1) and 190(D) and to enact R.S. 32:401(24) and  
3 408(C)(3), relative to autocycles; to amend the definition of autocycle; to provide for  
4 a helmet exemption for operators and passengers of certain autocycles; to provide  
5 for an exemption for certain driver's license endorsements for operators of certain  
6 autocycles; to provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:1(1.1) and 190(D) are hereby amended and reenacted and R.S.  
9 32:401(24) and 408(C)(3) are hereby enacted 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 which has no more than three wheels in  
18 contact with the roadway at any one time.

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

5                                   \*       \*       \*

6           §190. Safety helmets

7                                   \*       \*       \*

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

14                                   \*       \*       \*

15           §401. Definitions

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

18                                   \*       \*       \*

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

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

27                                   \*       \*       \*

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

29                                   \*       \*       \*

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C.

\* \* \*

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

\* \* \*

Section 2. This Act shall become effective on January 1, 2014.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Norton

HB No. 218

**Abstract:** Makes changes to the definition of "autocycle". Provides that the operator of an autocycle with certain features shall not be required to obtain an "M" endorsement. Further provides that the operator or passengers of an autocycle shall not be required to wear safety helmets if the autocycle is equipped with a roll cage.

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

Proposed law retains present law and adds that an "autocycle" shall also include enclosed motorcycles with a roll cage.

Proposed law defines "roll cage" as used in the definition of "autocycle".

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.

Proposed law retains present law and exempts persons operating or riding in an autocycle with a roll cage from having to wear a safety helmet. Also, defines "roll cage" in the context of autocycles for which the exemption applies.

Present law requires operators of motorcycles to obtain a special endorsement on their driver's license.

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

Effective Jan. 1, 2014.

(Amends R.S. 32:1(1.1) and 190(D); Adds R.S. 32:401(24) and 408(C)(3))