

CHAPTER 491

(House Bill 221)

AN ACT concerning

Vehicle Laws – Motorcycles – Definition

FOR the purpose of altering the definition of “motorcycle” under the Maryland Vehicle Law; making this Act an emergency measure; and generally relating to the definition of motorcycle under the Maryland Vehicle Law.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–136
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

11–136.

(a) “Motorcycle” means a motor vehicle that:

(1) Has one front wheel and one or two rear wheels on a single axle; however, if it is equipped with two rear wheels on a single axle, the rear tread width may not exceed 25 inches;

(2) Is self-propelled by a motor with a rating of more than 1.5 brake horsepower and a capacity of at least 49 cubic centimeters piston displacement;

(3) Has a singular front steering road wheel mounted in a fork assembly that passes through a frame steering bearing and to which is attached a handlebar or other directly operated steering device;

(4) Has a seat that is straddled by the driver; and

(5) Except for a windshield or windscreen, does not have any enclosure or provision for an enclosure for the driver or any passenger]

(1) HAS MOTIVE POWER;

- (2) HAS A SEAT OR SADDLE FOR THE USE OF THE RIDER;**
 - (3) IS DESIGNED TO TRAVEL:**
 - (I) ON NOT MORE THAN THREE WHEELS IN CONTACT WITH THE GROUND; AND**
 - (II) AT SPEEDS EXCEEDING 35 MILES PER HOUR; AND**
 - (4) IS OF A TYPE REQUIRED TO COMPLY WITH ALL MOTOR VEHICLE SAFETY STANDARDS APPLICABLE TO MOTORCYCLES UNDER FEDERAL LAW.**
- (b) A detachable sidecar is an accessory to and not a part of a motorcycle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, May 13, 2008.