

1 State of Arkansas *As Engrossed: S2/28/17 S3/2/17*

2 91st General Assembly

# A Bill

3 Regular Session, 2017

SENATE BILL 365

4

5 By: Senators B. Sample, *Standridge*

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## For An Act To Be Entitled

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AN ACT TO AMEND THE LAW CONCERNING AUTOCYCLES; TO  
9 INCLUDE AUTOCYCLES THAT OPERATE ON MOTOR FUEL; AND  
10 FOR OTHER PURPOSES.

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## Subtitle

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TO AMEND THE LAW CONCERNING AUTOCYCLES;  
15 AND TO INCLUDE AUTOCYCLES THAT OPERATE ON  
16 MOTOR FUEL.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 27-20-119 is repealed.

22 ~~27-20-119. Autoeycles.~~

23 ~~The requirements and regulation of autoeycles shall be as provided~~  
24 ~~under the Electric Autoeycle Act, § 27-20-301 et seq.~~

25

26 SECTION 2. Arkansas Code § 27-20-301 is amended to read as follows:

27 27-20-301. Title.

28 This subchapter shall be known and may be cited as the "~~Electric~~  
29 Autocycle Act".

30

31 SECTION 3. Arkansas Code § 27-20-303 is amended to read as follows:

32 27-20-303. Definitions Definition - Regulations.

33 ~~As used in this subchapter:~~

34 ~~(1)(A) "Autoeycle" means a motorized cycle that exclusively uses~~  
35 ~~a motor operated by electricity, is a zero emission vehicle, and is:~~

36

~~(i) At least sixty inches (60") in width;~~



1 ~~(ii) Not more than one hundred thirty five inches~~  
 2 ~~(135") in length;~~

3 ~~(iii) At least one thousand pounds (1,000 lbs.) in~~  
 4 ~~unladen weight;~~

5 ~~(iv) Equipped with:~~

6 (a) As used in this subchapter, "autocycle" means a  
 7 motorcycle as defined in § 27-49-219(c) that is equipped with:

8 ~~(a)(1) Three (3) low pressure tires;~~

9 ~~(b)(2) A steering wheel;~~

10 ~~(c)(3) Seating for at least one (1) person but~~  
 11 ~~not more than four (4) persons~~ Seating that does not require the operator to  
 12 straddle or sit astride the seat;

13 ~~(d) A fully enclosed metal or metal reinforced~~  
 14 ~~cab with glass and mirrors that complies with § 27-37-301 et seq. regarding~~  
 15 ~~safety glass and mirrors;~~

16 ~~(e) Doors with functioning handle locks that~~  
 17 ~~are similar to the handle locks on motor vehicles;~~

18 ~~(f)(4) Headlights as required under § 27-20-~~  
 19 ~~104(d)(1) § 27-20-104(a)(1);~~

20 ~~(g)(5) Tail lamps as required under § 27-20-~~  
 21 ~~104(d)(3) § 27-20-104(a)(3);~~

22 ~~(h)(6) Brakes as required under § 27-20-~~  
 23 ~~104(d)(4) § 27-20-104(a)(4);~~

24 ~~(i)(7) A working horn as required under § 27-~~  
 25 ~~20-104(d)(5) § 27-20-104(a)(5); and~~

26 ~~(j)(8) Signal lamps as provided under § 27-36-~~  
 27 ~~216; and~~

28 ~~(k) Seat belts as provided under § 27-37-701~~  
 29 ~~et seq.~~

30 ~~(B)(b) An autocycle that is operated by electricity shall not be~~  
 31 ~~required to have a muffler because it is a zero emission electric vehicle.~~

32 ~~(C) An autocycle may be equipped with a bed or cargo box~~  
 33 ~~for hauling materials.~~

34 ~~(D)(c) An autocycle is a motor vehicle for the purposes of minimum~~  
 35 ~~insurance liability under the Motor Vehicle Safety Responsibility Act, § 27-~~  
 36 ~~19-101 et seq., and § 27-22-101 et seq.~~

~~§(d) An autocycle is not an all-terrain vehicle under § 27-20-201 et seq. and or § 27-21-101 et seq., and~~

~~(2) "Low pressure tire" means a pneumatic tire that conforms to the manufacturer's specifications for the autocycle and is comparable to the tires used on other motor vehicles.~~

SECTION 4. Arkansas Code § 27-20-306(c)-(e), concerning passenger and operation requirements, is amended to read as follows:

(c) Unless an autocycle is equipped with a fully-enclosed metal or metal-reinforced cab with glass and mirrors that complies with § 27-37-301 et seq. regarding safety glass and mirrors, An the operator of or passenger in an autocycle is not required to shall comply with § 27-20-104(b) requiring:

(1) Protective headgear; ~~or~~ and

(2) Protective glasses, goggles, or transparent face shields.

(d)(1) An operator of the autocycle shall have ~~not no~~ more than three ~~(3)~~ passengers in than the autocycle number of seats provided by the manufacturer of the autocycle.

(2) The requirements of § 27-20-110 shall not apply to autocycles.

~~(e)(1) A child may be a passenger in an autocycle, and § 27-20-118 shall not apply to autocycles.~~

~~(2) If applicable because of the child's age or weight, the child shall be restrained as provided under the Child Passenger Protection Act, § 27-34-101 et seq.~~

A child may be a passenger in an autocycle if the autocycle is equipped with a fully-enclosed metal or metal-reinforced cab with glass and mirrors that complies with § 27-37-301 et seq. regarding safety glass and mirrors.

(f) Section 27-20-118 shall apply to autocycles.

SECTION 5. Arkansas Code § 27-20-307 is amended to read as follows:  
27-20-307. Operation limitations.

~~(a) An autocycle shall not be operated on an interstate highway.~~

~~(b) An autocycle shall not be operated on a road or highway if:~~

~~(1) The operation of autocycles or motoreycles is prohibited;~~

~~(2) The road is a controlled access highway;~~

~~(3) The posted speed limit is more than fifty five (55) miles~~

1 ~~per hour; or~~

2 ~~(4) The autocycle cannot maintain a speed equal to the posted~~  
3 ~~speed limit.~~

4 An autocycle that is operated by electricity shall not be operated on:

5 (1) An interstate highway; or

6 (2) A road or highway if:

7 (A) The operation of autocycles or motorcycles is  
8 prohibited;

9 (B) The road is a controlled-access highway;

10 (C) The posted speed limit is more than fifty-five miles  
11 per hour (55 m.p.h.); or

12 (D) The autocycle cannot maintain a speed equal to the  
13 posted speed limit.

14  
15 *SECTION 6. Arkansas Code § 27-49-219(c), concerning the definition of*  
16 *"motorcycle", is amended to read as follows:*

17 *(c)(1) "Motorcycle" means ~~every~~ a motor vehicle having a seat or*  
18 *saddle for the use of the rider and designed to travel on not more than three*  
19 *(3) wheels in contact with the ground ~~but excluding a tractor.~~*

20 *(2) "Motorcycle" includes an autocycle as defined in § 27-20-*  
21 *303.*

22 *(3) "Motorcycle" does not include a tractor.*

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24 */s/B. Sample*

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27 **APPROVED: 03/27/2017**