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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- THREE WHEEL VEHICLES

Introduced By: Representatives Casimiro, and Craven

Date Introduced: January 30, 2020

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 31-10.1-1, 31-10.1-1.1, 31-10.1-1.2, 31-10.1-2 and 31-10.1-3 of  
2 the General Laws in Chapter 31-10.1 entitled "Special License for Motorcycles, Motor Scooters,  
3 and Other Motor Driven Cycles" are hereby amended to read as follows:

4           **31-10.1-1. License required.**

5           (a) No resident of this state, except those expressly exempted in this chapter, shall drive  
6 any two (2)-wheeled motorcycle or motor-driven cycle upon a highway in this state, unless the  
7 person shall first obtain a special license as an operator under the provisions of this chapter;  
8 provided, however, motorized bicycles and motor scooters with a motor rated not more than four  
9 and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters, which is  
10 capable of a maximum speed of not more than thirty (30) miles per hour, shall be exempt from  
11 the provisions of this section. No person shall be licensed pursuant to this chapter unless he or she  
12 shall be at least sixteen (16) years of age or unless the person previously has been issued a full  
13 operator's license and a motorcycle learner's permit or is already licensed under a prior act of this  
14 state. Any person under the age of eighteen (18) duly licensed under the prior act shall be eligible  
15 to have his or her license renewed in the same manner as persons over the age of eighteen (18).  
16 All licenses issued pursuant to this chapter shall reflect any requirement of the operator to wear a  
17 helmet pursuant to § 31-10.1-4.

18           (b) No resident of this state, except those expressly exempted in this chapter, shall drive  
19 any three (3)-wheeled motorcycle or motor-driven cycle upon a highway in this state, unless the

1 person shall first obtain a special license as an operator under the provisions of this chapter;  
2 provided, however, motorized bicycles and motor scooters with a motor rated not more than four  
3 and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters, which is  
4 capable of a maximum speed of not more than thirty (30) miles per hour, shall be exempt from  
5 the provisions of this section. No person shall be licensed pursuant to this chapter unless he or she  
6 shall be at least sixteen (16) years of age or unless the person previously has been issued a full  
7 operator's license and a motorcycle learner's permit or is already licensed under a prior act of this  
8 state. Any person under the age of eighteen (18) years duly licensed under the prior act shall be  
9 eligible to have their license renewed in the same manner as persons over the age of eighteen (18)  
10 years. All licenses issued pursuant to this chapter shall reflect any requirement of the operator to  
11 wear a helmet pursuant to § 31-10.1-4.

12 (c) Any person currently licensed pursuant to this chapter, prior to September 1, 2020,  
13 shall continue to be permitted to operate both two (2)-wheeled and three (3)-wheeled motorcycles  
14 and motor-driven cycles without further examination.

15 **31-10.1-1.1. Motorcycle driver education program.**

16 (a) The board of governors for higher education and the office of higher education shall  
17 through the Community College of Rhode Island provide:

18 (1) a A minimum of six (6) and up to a maximum of twenty (20) hours of classroom  
19 instruction and/or on-the-road driver training, as determined by the board and/or the Community  
20 College of Rhode Island, for applicants or prospective applicants for a first motorcycle operator's  
21 license to operate two (2)-wheeled motorcycles under this chapter; and

22 (2) A minimum of six (6) and up to a maximum of twenty (20) hours of classroom  
23 instruction and/or on-the-road driver training, as determined by the board and/or the Community  
24 College of Rhode Island, for applicants or prospective applicants for a first motorcycle operator's  
25 license to operate three (3)-wheeled motorcycles under this chapter. Instruction shall be given by  
26 a person eligible for a teacher's certificate issued under the authority of the state board of regents  
27 and/or certified to teach motorcycle safety classes by completion of a course of instruction  
28 recognized by the Community College of Rhode Island.

29 (b) Motorcycle driver education programs shall be available to any eligible resident  
30 applicant holding a valid Rhode Island motor vehicle operator's license.

31 (c) The board of governors for higher education shall establish any fees that are deemed  
32 necessary to support this program.

33 (d) The board of governors for higher education and the office of higher education are  
34 authorized to establish regulations to further implement this chapter.

1           **31-10.1-1.2. Approved motorcycle rider education program.**

2           (a) The board of governors for higher education and/or the Community College of Rhode  
3 Island may certify motorcycle dealers engaged in selling motorcycles or an association engaged  
4 in motorcycle safety to provide motorcycle driver education courses in the state if the curriculum  
5 used during the course of instruction is certified by the Motorcycle Safety Foundation, or other  
6 programs approved by the board and/or the Community College of Rhode Island.

7           (b)(1) The course [of instruction for operation of two \(2\)-wheeled motorcycles](#) shall  
8 provide students with a minimum of sixteen and a half (16 1/2) hours of combined classroom  
9 instruction, and on the range motorcycle training for a beginner rider course, and a minimum of  
10 five (5) hours for a licensed rider course.

11           (2) [The course of instruction for operation of three \(3\)-wheeled motorcycles shall provide  
12 students with a minimum of sixteen and a half \(16 1/2\) hours of combined classroom instruction,  
13 and on the range motorcycle training for a beginner rider course, and a minimum of five \(5\) hours  
14 for a licensed rider course.](#)

15           (c) In order for an instructor to teach in a motorcycle rider education program in the state,  
16 the person shall meet all of the following requirements:

17           (1) Must be twenty-one (21) years of age or older, and must possess a valid drivers  
18 license recognized by the state of Rhode Island for at least three (3) consecutive years;

19           (2) Possess a high school diploma or GED;

20           (3) Must be certified by the Motorcycle Safety Foundation as an instructor;

21           (4) Must be licensed to teach motorcycle training in the state of Rhode Island;

22           (5) An instructor has not had more than one moving traffic violation within one year prior  
23 to obtaining certification; not more than two (2) moving violations within a three (3) year period  
24 prior to licensure as a motorcycle rider education instructor; and not more than three (3) moving  
25 violations within a five (5) year period prior to licensure as a motorcycle rider education  
26 instructor;

27           (6) An instructor has not had their driving privileges suspended or revoked in the five (5)  
28 preceding years prior to obtaining certification by the state of Rhode Island;

29           (7) An instructor has no driving under the influence of alcohol or drug convictions within  
30 ten (10) years prior to obtaining certification by the state of Rhode Island as a motorcycle rider  
31 education instructor;

32           (8) Must successfully pass a criminal background check by the department;

33           (9) For out of state instructors, the person must provide the department with a certified  
34 copy of their driving record from the previous five (5) years.

1 (d) Class sizes shall not exceed twenty-four (24) students in the classroom, and twelve  
2 (12) on the range during instruction.

3 (e) A student, unless specified under § 31-10.1-2, who successfully completes a  
4 department approved two (2)-wheeled motorcycle rider education program's skills and written  
5 test requirements, shall be deemed compliant with § 31-10.1-1.1(a)(1) and exempted from the  
6 road test under § 31-10.1-3(a) provided the student passes a written, vision and road sign  
7 examination at a department licensing facility. A student, unless specified under § 31-10.1-2, who  
8 successfully completes a department approved three (3)-wheeled motorcycle rider education  
9 program's skills and written test requirements, shall be deemed compliant with § 31-10.1-  
10 1.1(a)(2) and exempted from the road test under § 31-10.1-3(b), provided the student passes a  
11 written, vision and road sign examination at a department facility. In order to take the written,  
12 vision and road sign examination under § 31-10.1-3(a) or (b) the student shall bring their  
13 Motorcycle Safety Foundation completion card and a road test waiver form provided by the rider  
14 education program where the course was successfully completed. The road test waiver form shall  
15 include the following:

16 (1) Student's full name, as written on their valid drivers license;

17 (2) Motorcycle Safety Foundations' Basic Rider Course Completion Card number;

18 (3) Course completion date;

19 (4) Dealership or association name;

20 (5) Dealership or association contact name;

21 (6) MSF Rider Education Recognition Program number, or equivalent;

22 (7) Instructor's name, signature and Motorcycle Safety Foundation number or an  
23 identifier from any other program approved by the board and/or the Community College of  
24 Rhode Island instructor number.

25 (f) The department or the Community College of Rhode Island has the right to inspect  
26 ranges to ensure they fulfill the Motorcycle Safety Foundation's range standards for motorcycle  
27 training. The department shall have the right to inspect the courses authorized under this section  
28 at any time. The entity providing the motorcycle rider education program shall maintain records  
29 for a minimum of two (2) years, including those who participated in the class, those who  
30 successfully completed the class, and those individuals who failed any portion of the class.

31 (g) No state subsidies shall be provided to a dealer or association for operating a  
32 motorcycle driver education program under this section.

33 (h) The state of Rhode Island shall not be liable for any acts or omissions on the part of  
34 motorcycle dealers and/or associations in the implementation of the motorcycle rider education

1 program pursuant to this section.

2 (i) Each dealership and/or association seeking to provide a motorcycle driver education  
3 course under this chapter shall pay an application fee of seven hundred and fifty dollars (\$750)  
4 and a yearly renewal fee of one hundred dollars (\$100) to the office of higher education for the  
5 purpose of program oversight.

6 **31-10.1-2. Learner's permit.**

7 (a)(1) Upon applying for a first license to drive a two (2)-wheeled motorcycle and after  
8 successfully completing a motorcycle driver education program pursuant to § 31-10.1-1.1(a)(1)  
9 and after satisfying the requirements of § 31-10.1-3(a), the administrator of the division of motor  
10 vehicles may issue a motorcycle learner's permit to take instruction in the operation of a two (2)-  
11 wheeled motorcycle which entitles the holder to operate or drive a two (2)-wheeled motorcycle  
12 on the public highway, other than limited access highway, as a learner, under the general  
13 supervision, and whether or not under the immediate control, of a licensed motorcycle operator,  
14 at least eighteen (18) years of age.

15 (2) Upon applying for a first license to drive a three (3)-wheeled motorcycle and after  
16 successfully completing a motorcycle driver education program pursuant to § 31-10.1-1.1(a)(2)  
17 and after satisfying the requirements of § 31-10.1-3(b), the administrator of the division of motor  
18 vehicles may issue a motorcycle learner's permit to take instruction in the operation of a three (3)-  
19 wheeled motorcycle which entitles the holder to operate or drive a three (3)-wheeled motorcycle  
20 on the public highway, other than limited access highway, as a learner, under the general  
21 supervision, and whether or not under the immediate control, of a licensed motorcycle operator,  
22 at least eighteen (18) years of age.

23 (3) A person who has been issued a learner's permit may not carry passengers other than  
24 the supervising driver on the motorcycle until the person has been licensed to operate a  
25 motorcycle.

26 (b) The following persons are eligible for a motorcycle learner's permit:

27 (1) A person who is at least sixteen (16) years old but less than eighteen (18) years old  
28 and has a limited provisional license or a full operator's license issued by the division of motor  
29 vehicles.

30 (2) A person who is at least eighteen (18) years old and has a license issued by the  
31 division of motor vehicles.

32 (c) The holder of a motorcycle learner's permit who has a limited provisional license may  
33 drive the motorcycle only at times when the license holder could drive a motor vehicle without  
34 supervision pursuant to § 31-10-14.

1 (d) A motorcycle learner's permit expires eighteen (18) months after it is issued.

2 **31-10.1-3. Examination.**

3 (a) All applicants for a two (2)-wheeled motorcycle, motor scooter, or motor-driven cycle  
4 license, except those exempted in this chapter, shall pass a written, vision, road sign, and road test  
5 as prescribed by the administrator of the division of motor vehicles in a vehicle supplied by the  
6 applicant.

7 (b) All applicants for a three (3)-wheeled motorcycle, motor scooter, or motor-driven  
8 cycle license, except those exempted under this chapter, shall pass a written, vision, road sign,  
9 and road test, as prescribed by the administrator of the division of motor vehicles in a vehicle  
10 supplied by the applicant.

11 ~~(b)~~(c) An applicant who within six (6) months of having been certified by the department  
12 of elementary and secondary education as having passed a written examination, road sign, and  
13 road test administered by that department, shall, upon completion of an eyesight test by the  
14 division of motor vehicles, be considered in compliance with this section.

15 SECTION 2. This act shall take effect on September 1, 2020.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- THREE WHEEL VEHICLES

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1           This act would provide that three (3)-wheeled motorcycles be included under the  
2   licensing requirements of the department of motor vehicles.

3           This act would take effect on September 1, 2020.

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