



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2601/2
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2015 ASSEMBLY BILL 435

October 22, 2015 – Introduced by Representatives A. OTT, JARCHOW, BORN, BOWEN, BRANDTJEN, E. BROOKS, R. BROOKS, CZAJA, DANOU, DOYLE, EDMING, GANNON, JAGLER, KATZMA, KOOYENGA, KREMER, KULP, T. LARSON, MILROY, MURSAU, NERISON, NEYLON, RIPP, ROHRKASTE, SINICKI, SKOWRONSKI, SPIROS, STEFFEN, SWEARINGEN, TAUCHEN, C. TAYLOR, TITTL and VORPAGEL, cosponsored by Senators PETROWSKI, HARS DORF, HANSEN, LEMAHIEU, MOULTON, OLSEN, RINGHAND, STROEBEL, VINEHOUT and WIRCH. Referred to Committee on Transportation.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 285.30 (5) (c), 340.01 (32) (intro.), 340.01 (32) (b) and 343.07
2 (1g) (intro.); and *to create* 285.30 (5) (m), 340.01 (3m), 340.01 (32) (c) and
3 341.25 (1) (bg) of the statutes; **relating to:** registration of vehicles defined as
4 autocycles.

Analysis by the Legislative Reference Bureau

This bill creates a definition of an autocycle, which is a three-wheeled motor vehicle with operation controls similar to an automobile.

Under current law, there are two types of motorcycles. A “Type 1 motorcycle” is a motor vehicle which has either two wheels in tandem and a seat for the operator or three wheels and unenclosed seating for the operator and passengers. A “Type 2 motorcycle” is a motor vehicle with at least three wheels and an enclosed space for the operator and passengers. This bill creates a “Type 3 motorcycle,” which is defined as an autocycle. “Autocycle” is defined as a three-wheeled motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

Under current law, a motor vehicle may not be operated upon a highway in this state without a current, valid registration. Generally, the fee for registering an automobile with the Department of Transportation (DOT) is \$75 annually. The fee for registering a motorcycle is \$23 biennially. Under this bill, the fee for registering an autocycle is \$45 annually.

Under current law, no person may operate a motor vehicle upon a highway in this state unless the person possesses a valid operator’s license. Additional

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endorsements are required for the operation of certain vehicles, including motorcycles. This bill classifies autocycles as “Class D” vehicles, which means they may be operated with the regular license issued by DOT without the need for additional endorsements.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 285.30 (5) (c) of the statutes is amended to read:

2 285.30 (5) (c) A motor vehicle exempt from registration under s. 341.05, except
3 that a motor vehicle owned by the United States is not exempt unless it comes under
4 par. (a), (b), (d), (e), (f), (g), (h), (j), ~~or (k)~~, or (m).

5 **SECTION 2.** 285.30 (5) (m) of the statutes is created to read:

6 285.30 (5) (m) An autocycle as defined in s. 340.01 (3m).

7 **SECTION 3.** 340.01 (3m) of the statutes is created to read:

8 340.01 (3m) “Autocycle” means a 3-wheeled motorcycle that has a steering
9 wheel and seating that does not require the operator to straddle or sit astride it.

10 **SECTION 4.** 340.01 (32) (intro.) of the statutes is amended to read:

11 340.01 (32) (intro.) “Motorcycle” means a motor vehicle, excluding a tractor, an
12 all-terrain vehicle, or a utility terrain vehicle, which is capable of speeds in excess
13 of 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind,
14 with a power source as an integral part of the vehicle, and which meets the conditions
15 under par. (a) ~~or~~, (b), or (c):

16 **SECTION 5.** 340.01 (32) (b) of the statutes is amended to read:

17 340.01 (32) (b) Type 2 is a motor vehicle, except an autocycle, designed and built
18 to have at least 3 wheels in contact with the ground, a curb weight of less than 1,500

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1 pounds, and a passenger and operator area with sides permanently enclosed with
2 rigid construction and a top which may be convertible.

3 **SECTION 6.** 340.01 (32) (c) of the statutes is created to read:

4 340.01 (32) (c) Type 3 is an autocycle.

5 **SECTION 7.** 341.25 (1) (bg) of the statutes is created to read:

6 341.25 (1) (bg) For each autocycle, a fee of \$45.

7 **SECTION 8.** 343.07 (1g) (intro.) of the statutes is amended to read:

8 343.07 (1g) REGULAR PERMIT; ISSUANCE, RESTRICTIONS. (intro.) Upon application
9 therefor by a person at least 15 years and 6 months of age who, except for age or lack
10 of training in the operation of a motor vehicle, is qualified to obtain an operator's
11 license and has passed such knowledge test as the department may require, the
12 department may issue a regular instruction permit. If the application is made by a
13 male who is at least 18 years of age but less than 26 years of age, the application shall
14 include the information required under s. 343.14 (2) (em). The permit entitles the
15 permittee to operate a motor vehicle, except a commercial motor vehicle, school bus,
16 or Type 1 or 3 motorcycle, a motor bicycle, or a moped, upon the highways, subject
17 to the following restrictions:

18 **SECTION 9. Initial applicability.**

19 (1) The treatment of section 341.25 (1) (bg) of the statutes first applies to
20 applications for registration received by the department of transportation on the
21 effective date of this subsection.

22 **SECTION 10. Effective dates.** This act takes effect on the day after publication,
23 except as follows:

