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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2019 Senate Bill 86**

**Senate  
Substitute Amendment 1 and  
Senate Amendment 1**

### CURRENT LAW

Under current law, there are two types of motorcycles. Type 1 is a motor vehicle that is either: designed and built with two wheels in tandem and a seat for the operator, and may be modified to have no more than three wheels by attaching a sidecar to one side of the wheels in tandem without changing the location of the power source; or designed and built to have no more than three wheels, seating for the operator and no more than three passengers, and does not have the operator area enclosed. Type 2 is a motor vehicle designed and built to have at least three wheels in contact with the ground, a curb weight of less than 1,500 pounds, and a passenger and operator area with sides permanently enclosed with rigid construction and a top which may be convertible.

The biennial registration fee for a motorcycle is \$23. To operate a type 1 motorcycle, a person must hold a license that specifically authorizes the operation of Class M vehicles.

### 2019 SENATE BILL 86

2019 Senate Bill 86 creates a definition for “autocycle” that includes vehicles currently defined as type 2 motorcycles and removes type 2 motorcycles from the definition of motorcycle. The bill provides that an autocycle may be registered for \$45 annually. Under the bill, a person may operate an autocycle with a regular Class D license; a motorcycle endorsement is not required.

### SENATE SUBSTITUTE AMENDMENT 1

Senate Substitute amendment 1 creates a definition of “autocycle.” Under the substitute amendment, an autocycle is “a motor vehicle that has 3 wheels in contact with the ground, designed with seating that does not require operators or any occupants to straddle or sit astride it, has a steering wheel, and is originally manufactured to meet federal motor vehicle safety standards for motorcycles under 49 CFR part 571.” The substitute amendment also redefines motorcycle to mean “a motor vehicle originally manufactured with motive power, a seat or saddle requiring the rider to sit astride, not more than 3 wheels in contact with the ground, steering controlled by handlebars, and acceleration and braking controlled with handlebar and foot controls and that is capable of speeds in excess of 30 miles per hour.

The substitute amendment provides that an autocycle may be registered for \$45 annually. Under the substitute amendment, a person may operate an autocycle with a regular Class D license; a motorcycle endorsement is not required. The substitute amendment also allows a motor vehicle dealer engaged in the sale of autocycles with a dealership license to continue selling autocycles without having to acquire a different type of dealership license.

## **SENATE AMENDMENT 1 TO SENATE SUBSTITUTE AMENDMENT 1**

Senate Amendment 1 to Senate Substitute Amendment 1 removes a provision in the substitute amendment that specified that the Department of Transportation's authority to refuse registration for motor vehicles that do not meet certain federal highway safety standards does not apply to autocycles. The amendment also delays the effective date of the act an additional three months longer than the delayed effective date provided in the substitute amendment. Senate Amendment 1 specifies that the act takes effect on the first day of the sixth month following publication, except that a provision specifying that an autocycle is a class D vehicle and may be operated with a regular class D license takes effect the day after publication.

### **BILL HISTORY**

Senator Jacque offered Senate Substitute Amendment 1 on May 21, 2019, and Senate Amendment 1 to Senate Substitute Amendment 1 on August 8, 2019. On October 2, 2019, the Senate Committee on Transportation and Veterans Affairs voted unanimously to recommend adoption of Senate Amendment 1 to Senate Substitute Amendment 1, adoption of Senate Substitute Amendment 1, and passage of Senate Bill 86, as amended.

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