

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/11/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Dyck**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **tnf**

Pre Topic:

LFB:.....Dyck - Motion 254.

Topic:

Moped definition

Instructions:

See Attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|---------------------|---------------------|---------------------|----------------|---------------------|-----------------|-----------------|
| /? | nilsepe 05/13/99 | gilfokm 05/13/99 | | _____ | | | |
| /1 | | | martykr 05/14/99 | _____ | gretskl 05/14/99 | | |

FE Sent For:

<END>

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|--------------|----------------|-------------------|--------------|----------------|------------------|-----------------|-----------------|
| 1/? | nilsepe | 11-5-13-99 KMG | KMS/14 | JS S KMS/14 | | | |

FE Sent For:

<END>

DOT -- MOTOR VEHICLES

60288

Definition of a Moped

340.01(2nd)

Motion:

Move to modify the definition of a "moped" to include a bicycle-type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at between 50 cubic centimeters and 130 cubic centimeters or an equivalent power unit, provided that the top speed of the vehicle is not more than 30 miles per hour.

Note:

Under current law, a moped is defined, for the purposes of vehicle registration and traffic laws, as a vehicle with a top speed of 30 miles per hour that is either: (a) a motorcycle with an automatic transmission and an engine certified by the manufacturer at not more than 50 cubic centimeters or an equivalent power unit; or (b) a bicycle-type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at not more than 50 cubic centimeters or an equivalent power unit.

This motion would increase the size of the engine that a bicycle-type moped may have to 130 cubic centimeters, as long as the top speed is still under 30 miles per hour. This would reclassify a vehicle that fits this description from a motor bicycle, for which registration is not required, to a moped, for which registration is required.

Motion #254

| | | |
|----------|---|---|
| MO# | | |
| Burke | ⊗ | Z |
| Decker | ⊗ | Z |
| Jauch | ⊗ | Z |
| Moore | ⊗ | Z |
| Shiblski | ⊗ | Z |
| Plache | ⊗ | Z |
| Cowles | ⊗ | Z |
| Panzer | ⊗ | Z |
| Gard | ⊗ | Z |
| Porter | ⊗ | Z |
| Kaufert | ⊗ | Z |
| Albers | ⊗ | Z |
| Duff | ⊗ | Z |
| Ward | ⊗ | Z |
| Huber | ⊗ | Z |
| Riley | ⊗ | Z |

15-1



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0288
PEN...

SOON

Handwritten initials and a large circle.

LFB:.....Dyck - Motion 254, Moped definition

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

(f-note)

1 At the locations indicated, amend the bill as follows:

2 1. Page 1215, line 19: after that line insert:

3 "SECTION ~~449.01~~²⁷²⁰⁹ 340.01 (29m) (a) of the statutes is amended to read:

4 340.01 (29m) (a) A bicycle-type vehicle with fully operative pedals for
5 propulsion by human power and an engine certified by the manufacturer at not more
6 than 50 130 cubic centimeters or an equivalent power unit."

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb02887/dn ¹

PEN...:k:mg

May 13, 1999

Jon Dyck:

This amendment might conflict with a federal definition of moped, or motorized bicycles. Although I am not aware of a specific definition that conflicts, I did find a proposed definition from 1981 that limited the engine displacement to 50cc or limited the "brake horsepower" to 2. See 46 Fed. Reg. 59689, December 7, 1981, soliciting comments for a proposed definition change for purposes of NHTSA's guidelines for State moped safety programs. *STET*

Note that this change affects moped dealers under s. 218.41, by removing these 50cc-130cc vehicles from the definition of "motor vehicle" under s. 218.01 (1) (m) and making them "mopeds" under s. 218.40 (2). Please verify that the effects on ch. 218 are as you intended.

This change exempts 50cc-130cc motor bicycles from emission limitations [s. 285.30(5)(g)] allows them to be parked on sidewalks [s. 346.54(1)(e)] and exempts them from requirements of motor vehicle consumer leases [s. 429.104 (19)]. Ok? *==*

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0288/1dn
PEN:kmg:km

May 13, 1999

Jon Dyck:

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This change exempts 50cc-130cc motor bicycles from emission limitations [s. 285.30 (5) (g)], allows them to be parked on sidewalks [s. 346.54 (1) (e)] and exempts them from requirements of motor vehicle consumer leases [s. 429.104 (19)]. OK?

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0288/1
PEN:kmg:km

LFB:.....Dyck – Motion 254, Moped definition

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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2 **1.** Page 1215, line 19: after that line insert:

3 “SECTION 2720g. 340.01 (29m) (a) of the statutes is amended to read:

4 340.01 (29m) (a) A bicycle-type vehicle with fully operative pedals for
5 propulsion by human power and an engine certified by the manufacturer at not more
6 than 50 130 cubic centimeters or an equivalent power unit.”.

7 (END)