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# Wisconsin Legislative Council

## ACT MEMO

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**Prepared by:** David Moore, Senior Staff Attorney

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**2019 Wisconsin Act 173**  
[2019 Senate Bill 768]

**Autocycle Registration Plates  
and Exemption From Emissions  
Testing**

### BACKGROUND

2019 Wisconsin Act 50, among other changes, created a definition for “autocycle” that includes certain vehicles that were defined as type 2 motorcycles under prior law. The act defined autocycle as “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.”

Also under state law, the state administers a motor vehicle emissions testing program to comply with the federal Clean Air Act. Under this program, subject to certain exceptions, vehicles customarily kept in Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha Counties must be tested every other year beginning in the third year following the vehicle’s model year. Among other exceptions, this requirement does not apply to motorcycles. Although motorcycles are exempted from the vehicle emissions testing requirement, the new definition of autocycle in Act 50 had the effect of causing autocycles to no longer be exempt from such testing since they are no longer considered motorcycles.

A provision specifying that an autocycle is a Class D vehicle and may be operated with a regular Class D license took effect on November 24, 2019, and the remaining provisions take effect on May 1, 2020. Accordingly, a vehicle that satisfies the definition of autocycle may be operated with a regular Class D license prior to May 1, 2020, but this type of vehicle may not be registered as an autocycle until after May 1, 2020.

### 2019 WISCONSIN ACT 173

2019 Wisconsin Act 173 provides that an autocycle is exempt from emission testing requirements.

The act also requires the Department of Transportation (DOT) to issue an autocycle registration plate to any individual who applies for a motorcycle registration plate for an autocycle, at no fee other than a fee for counter services, if the person requests such a plate and applies before April 30, 2020. DOT is directed to notify an individual that receives an autocycle registration plate under this process that the motorcycle plate previously issued for the autocycle must be destroyed.

**Effective date:** March 5, 2020

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