

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0181.01 Jason Gelender x4330

HOUSE BILL 17-1044

HOUSE SPONSORSHIP

Mitsch Bush,

SENATE SPONSORSHIP

Todd,

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING AUTOCYCLES, AND, IN CONNECTION THEREWITH,
102 MODIFYING THE DEFINITION OF AUTOCYCLE AND CLARIFYING
103 THAT MANDATORY SAFETY BELT AND CHILD RESTRAINT SYSTEM
104 REQUIREMENTS APPLY TO AUTOCYCLES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. The bill amends the definition of autocycle to explicitly exclude motorcycles, clarify that the driver and each passenger in an autocycle ride in either a fully or a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

partly enclosed seating area, and eliminate the requirements that an auticycle be equipped with air bags and a hardtop enclosure that protects occupants from the elements and can support the weight of the vehicle without harming occupants when the vehicle is resting on the enclosure. The bill also amends the definitions of "motor vehicle" used in the laws governing mandatory safety belt and child restraint system use to clarify that those laws apply to autocycles.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend**
3 (7.5) as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
5 unless the context otherwise requires:

6 (7.5) "Autocycle" means a three-wheeled motor vehicle THAT IS
7 NOT A MOTORCYCLE AND in which the driver and each passenger ~~rides~~
8 RIDE in ~~an~~ A FULLY OR PARTLY enclosed seating area that is equipped
9 ~~with:~~ WITH SAFETY BELTS FOR ALL OCCUPANTS THAT COMPLY WITH
10 SECTION 42-4-237. FOR PURPOSES OF THIS SUBSECTION (7.5), "PARTLY
11 ENCLOSED SEATING AREA" MEANS A SEATING AREA THAT IS ENTIRELY OR
12 PARTLY SURROUNDED ON THE SIDES BY THE FRAME OR BODY OF A VEHICLE
13 BUT IS NOT FULLY ENCLOSED.

14 ~~(a) Safety belts for all occupants that comply with section~~
15 ~~42-4-237.~~

16 ~~(b) Air bag protection; and~~

17 ~~(c) A hardtop enclosure that protects occupants from the elements~~
18 ~~and that supports the vehicle's weight without harming the occupants~~
19 ~~when the vehicle is resting on the enclosure.~~

20 **SECTION 2.** In Colorado Revised Statutes, 42-4-236, **amend**
21 (1)(a.8) as follows:

22 **42-4-236. Child restraint systems required - definitions -**

1 **exemptions.** (1) As used in this section, unless the context otherwise
2 requires:

3 (a.8) "Motor vehicle" means a passenger ~~car~~, CAR, a pickup ~~truck~~,
4 TRUCK, AN AUTOCYCLE, or a van, minivan, or sport utility vehicle with a
5 gross vehicle weight rating of less than ten thousand pounds. "Motor
6 vehicle" does not include motorcycles, low-power scooters,
7 motorscooters, motorbicycles, motorized bicycles, and farm tractors and
8 implements of husbandry designed primarily or exclusively for use in
9 agricultural operations.

10 **SECTION 3.** In Colorado Revised Statutes, 42-4-237, **amend**
11 (1)(a) as follows:

12 **42-4-237. Safety belt systems - mandatory use - exemptions -**
13 **penalty.** (1) As used in this section:

14 (a) "Motor vehicle" means a self-propelled vehicle intended
15 primarily for use and operation on the public highways, including
16 passenger cars, station wagons, vans, taxicabs, ambulances, motor homes,
17 AUTOCYCLES, and pickups. The term does not include motorcycles,
18 low-power scooters, passenger buses, school buses, and farm tractors and
19 implements of husbandry designed primarily or exclusively for use in
20 agricultural operations.

21 **SECTION 4. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.