

2023 -- S 0419 SUBSTITUTE A

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- DEFINITIONS AND GENERAL CODE PROVISIONS

Introduced By: Senators DiPalma, Ciccone, Sosnowski, de la Cruz, Felag, and Raptakis

Date Introduced: February 16, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-1-3 of the General Laws in Chapter 31-1 entitled "Definitions and
2 General Code Provisions" is hereby amended to read as follows:

3 **31-1-3. Types of vehicles.**

4 (a)(1) "Antique motor car" means any motor vehicle that is more than twenty-five (25)
5 years old. Unless fully inspected and meeting inspection requirements, the vehicle may be
6 maintained solely for use in exhibitions, club activities, parades, and other functions of public
7 interest. The vehicle may also be used for limited enjoyment and purposes other than the previously
8 mentioned activities, but may not be used primarily for the transportation of passengers or goods
9 over any public highway.

10 (2) After the vehicle has met the requirements of state inspection, a registration plate may
11 be issued to it on payment of the standard fee. The vehicle may be operated on the highways of this
12 and other states, and may, in addition to the registration plate, retain the designation "antique" and
13 display an "antique plate."

14 (3) For any vehicle that is more than twenty-five (25) years old, the division of motor
15 vehicles may also issue or approve, subject to rules and regulations that may be promulgated by
16 the administrator, a "year of manufacture plate" for the vehicle that is an exact replica plate
17 designating the exact year of manufacture of the vehicle. The year of manufacture plate, as
18 authorized by this subsection, need only be attached to the rear of the vehicle.

1 (b)(1) "Antique motorcycle" means any motorcycle that is more than twenty-five (25)
2 years old. Unless fully inspected and meeting inspection requirements, the vehicle shall be
3 maintained solely for use in exhibitions, club activities, parades, and other functions of public
4 interest. The vehicle may also be used for limited enjoyment and purposes other than the previously
5 mentioned activities, but may not be used primarily for the transportation of passengers or goods
6 over any public highway; and

7 (2) After the vehicle has met the requirements of state inspection, a registration plate may
8 be issued to it, on payment of the standard fee, and the vehicle may be operated on the highways
9 of this and other states, and may, in addition to the registration plate, retain the designation
10 "antique" and display an "antique plate."

11 (c) "Authorized emergency vehicle" means vehicles of the fire department (fire patrol);
12 police vehicles; vehicles of the department of corrections while in the performance of official
13 duties; vehicles used by the state bomb squad within the office of state fire marshal; vehicles of
14 municipal departments or public service corporations designated or authorized by the administrator
15 as ambulances and emergency vehicles; and privately owned motor vehicles of volunteer
16 firefighters or privately owned motor vehicles of volunteer ambulance drivers or attendants, as
17 authorized by the department chief or commander and permitted by the Rhode Island Association
18 of Fire Chiefs and Rhode Island Association of Police Chiefs Joint Committee for Volunteer
19 Warning Light Permits.

20 (d) "Automobile" means, for registration purposes, every motor vehicle carrying
21 passengers other than for hire.

22 (e) "Bicycle" means every vehicle having two (2) tandem wheels, except scooters and
23 similar devices, propelled exclusively by human power, and upon which a person may ride.

24 (f) "Camping recreational vehicle" means a vehicular type camping unit, certified by the
25 manufacturer as complying with ANSI A119.2 Standards, designed primarily as temporary living
26 quarters for recreation that has either its own motor power or is mounted on, or towed by, another
27 vehicle. The basic units are tent trailers, fifth-wheel trailers, motorized campers, travel trailers, and
28 pick-up campers.

29 (g) "Electric motorized bicycle" means a motorized bicycle that may be propelled by
30 human power or electric motor power, or by both, with an electric motor rated not more than two
31 (2) (S.A.E.) horsepower, that is capable of a maximum speed of not more than twenty-five (25)
32 miles per hour.

33 (h) "Electric personal assistive mobility device" ("EPAMD") is a self-balancing, non-
34 tandem two-wheeled (2) device, designed to transport only one person, with an electric propulsion

1 system that limits the maximum speed of the device to fifteen (15) miles per hour.

2 (i) "Fifth-wheel trailer": A towable recreational vehicle, not exceeding four hundred (400)
3 square feet in area, designed to be towed by a motorized vehicle that contains a towing mechanism
4 that is mounted above or forward of the tow vehicle's rear axle and that is eligible to be registered
5 for highway use.

6 (j) "Hearse" means every motor vehicle used for transporting human corpses. A hearse
7 shall be considered an automobile for registration purposes.

8 (k) "Jitney or bus" means: (1) A "public bus" that includes every motor vehicle, trailer,
9 semi-trailer, tractor trailer, or tractor trailer combination, used for the transportation of passengers
10 for hire, and operated wholly or in part upon any street or highway as a means of transportation
11 similar to that afforded by a street railway company, by indiscriminately receiving or discharging
12 passengers, or running on a regular route or over any portion of one, or between fixed termini; or
13 (2) A "private bus" that includes every motor vehicle other than a public bus or passenger van
14 designed for carrying more than ten (10) passengers and used for the transportation of persons, and
15 every motor vehicle other than a taxicab designed and used for the transportation of persons for
16 compensation.

17 (l) "Low-speed motor vehicle" or "low-speed vehicle", means a motor vehicle defined in
18 49 C.F.R. § 571.3 as a vehicle that is four (4) wheeled, whose speed attainable in one mile is more
19 than twenty miles per hour (20 mph) and not more than twenty-five miles per hour (25 mph) on a
20 paved level surface, is electric, and whose gross vehicle weight rating is less than three thousand
21 pounds (3,000 lbs.). All low-speed motor vehicles shall comply with the standards established in
22 49 C.F.R. § 571.500, as amended, and pursuant thereto, shall be equipped with headlamps, front
23 and rear turn signal lamps, tail lamps, stop lamps, an exterior mirror mounted on the driver's side
24 of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an
25 interior mirror, a parking brake, a windshield that conforms to the federal standards on glazing
26 materials, a vehicle identification number that conforms to the requirements of 49 C.F.R. pt. 565
27 for such numbers, a Type 1 or Type 2 seat belt assembly conforming to 49 C.F.R. § 571.209,
28 installed at each designated seating position and reflex reflectors; provided, that one reflector is red
29 on each side as far to the rear as practicable and one reflector is red on the rear. A low-speed motor
30 vehicle that meets the requirements of 49 C.F.R. § 571.500, as amended, and is equipped as herein
31 provided, may be registered in this state, subject to inspection and insurance requirements.

32 (m) "Motorcycle" means only those motor vehicles having not more than three (3) wheels
33 in contact with the ground and a saddle on which the driver sits astride, except bicycles with helper
34 motors as defined in subsection (n) of this section.

1 ~~(m)~~(n) “Motor-driven cycle” means every motorcycle, including every motor scooter, with
2 a motor of no greater than five (5) horsepower, except bicycles with helper motors as defined in
3 subsection (n) of this section.

4 ~~(l)~~(o) “Motorized bicycles” means two-wheel (2) vehicles that may be propelled by human
5 power or helper power, or by both, with a motor rated not more than four and nine-tenths (4.9)
6 horsepower and not greater than fifty (50) cubic centimeters, that are capable of a maximum speed
7 of not more than thirty (30) miles per hour.

8 ~~(k)~~(p) “Motorized camper”: A camping recreational vehicle, built on, or permanently
9 attached to, a self-propelled motor vehicle chassis cab or van that is an integral part of the completed
10 vehicle.

11 ~~(j)~~(q) “Motorized tricycles” means tricycles that may be propelled by human power or
12 helper motor, or by both, with a motor rated no more than 1.5 brake horsepower that is capable of
13 a maximum speed of not more than thirty (30) miles per hour.

14 ~~(i)~~(r) “Motorized wheelchair” means any self-propelled vehicle, designed for, and used
15 by, a person with a disability that is incapable of speed in excess of eight (8) miles per hour.

16 ~~(h)~~(s) “Motor scooter” means a motor-driven cycle with a motor rated not more than four
17 and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters that is capable
18 of a maximum speed of not more than thirty (30) miles per hour.

19 ~~(g)~~(t) “Motor vehicle” means every vehicle that is self-propelled or propelled by electric
20 power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved
21 exclusively by human power, an EPAMD and electric motorized bicycles as defined in subsection
22 (g) of this section, and motorized wheelchairs.

23 ~~(f)~~(u) “Motor vehicle for hire” means every motor vehicle other than jitneys, public buses,
24 hearses, and motor vehicles used chiefly in connection with the conduct of funerals, to transport
25 persons for compensation in any form, or motor vehicles rented for transporting persons either with
26 or without furnishing an operator.

27 ~~(e)~~(v) “Natural gas vehicle” means a vehicle operated by an engine fueled primarily by
28 natural gas.

29 ~~(d)~~(w) “Park trailer”: A camping recreational vehicle that is eligible to be registered for
30 highway use and meets the following criteria: (1) Built on a single chassis mounted on wheels; and
31 (2) Certified by the manufacturer as complying with ANSI A119.5.

32 ~~(c)~~(x) “Passenger van” means every motor vehicle capable of carrying ten (10) to fourteen
33 (14) passengers plus an operator and used for personal use or on a not-for-hire basis. Passenger
34 vans may be used for vanpools, transporting passengers to and from work locations, provided that

1 the operator receives no remuneration other than free use of the vehicle.

2 ~~(x)~~(y) “Pedal carriage” (also known as “quadricycles”) means a nonmotorized bicycle with
3 four (4) or more wheels operated by one or more persons for the purpose of, or capable of,
4 transporting additional passengers in seats or on a platform made a part of or otherwise attached to
5 the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed to
6 it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the
7 transportation of a person with a disability, nor shall it include a tricycle built for a child or an adult
8 with a seat for only one operator and no passenger.

9 ~~(z)~~(z) “Pick-up camper”: A camping recreational vehicle consisting of a roof, floor, and
10 sides designed to be loaded onto and unloaded from the back of a pick-up truck.

11 ~~(aa)~~(aa) “Rickshaw” (also known as “pedi cab”) means a nonmotorized bicycle with three
12 (3) wheels operated by one person for the purpose of, or capable of, transporting additional
13 passengers in seats or on a platform made a part of, or otherwise attached to, the rickshaw. This
14 definition shall not include a bicycle built for two (2) where the operators are seated one behind the
15 other, nor shall it include the operation of a bicycle with trainer or beginner wheels affixed thereto,
16 nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the
17 transportation of a person with a disability.

18 ~~(bb)~~(bb) “School bus” means every motor vehicle owned by a public or governmental
19 agency, when operated for the transportation of children to or from school; or privately owned,
20 when operated for compensation for the transportation of children to or from school.

21 ~~(cc)~~(cc) “Suburban vehicle” means every motor vehicle with a convertible or
22 interchangeable body or with removable seats, usable for both passenger and delivery purposes,
23 and including motor vehicles commonly known as station or depot wagons or any vehicle into
24 which access can be gained through the rear by means of a hatch or trunk and where the rear seats
25 can be folded down to permit the carrying of articles as well as passengers.

26 ~~(dd)~~(dd) “Tent trailer”: A towable recreational vehicle that is mounted on wheels and
27 constructed with collapsible partial side walls that fold for towing by another vehicle and unfold
28 for use and that is eligible to be registered for highway use.

29 ~~(ee)~~(ee) “Trackless trolley coach” means every motor vehicle that is propelled by electric
30 power obtained from overhead trolley wires, but not operated on rails.

31 ~~(ff)~~(ff) “Travel trailer”: A towable recreational vehicle, not exceeding three hundred
32 twenty square feet (320 sq. ft.) in area, designed to be towed by a motorized vehicle containing a
33 towing mechanism that is mounted behind the tow vehicle’s bumper and that is eligible to be
34 registered for highway use.

1 ~~(ff)~~(gg) “Vehicle” means every device in, upon, or by which any person or property is or
2 may be transported or drawn upon a highway, except devices used exclusively upon stationary rails
3 or tracks.

4 SECTION 2. Section 31-3-2 of the General Laws in Chapter 31-3 entitled "Registration of
5 Vehicles" is hereby amended to read as follows:

6 **31-3-2. Vehicles subject to registration.**

7 Every motor vehicle, trailer, semi-trailer, pole trailer, motorized camper, tent trailer, travel
8 trailer, pick-up coach, and pick-up camper, owned by a resident of this state when operated or
9 drawn upon a highway within this state for a period of thirty (30) days, shall be subject to the
10 registration provisions of chapters 3 — 9 of this title except:

11 (a) Any vehicle operated upon a highway in conformance with the provisions of the
12 chapters relating to manufacturers, transporters, dealers, lien holders, or nonresidents;

13 (b) Any vehicle that is operated upon a highway only for the purpose of crossing the
14 highway but not along the highway from one property to another;

15 (c) Any farm vehicle, whether or not of a type otherwise subject to registration under this
16 chapter, that is only incidentally operated upon a highway. For purposes of this title, the phrase
17 “incidentally operated upon a highway” shall mean the operation upon a highway of a slow-moving
18 motor vehicle that is designed and used primarily as a farm implement for drawing plows, mowing
19 machines, and other implements of husbandry, between agricultural operations owned or managed
20 by the owner of the motor vehicle. Unless the incidental operation is only for purposes of crossing
21 the highway but not traveling along it, the farm vehicle engaged in the incidental operation shall
22 display a “Slow Moving Vehicle” emblem in a manner that complies with requirements established
23 by the division of motor vehicles;

24 (d) Any special mobile equipment as defined in § 31-1-9;

25 (e) Any vehicle that is propelled exclusively by electric power obtained from overhead
26 trolley wires, though not operated upon rails;

27 (f) Any low-speed motor vehicle or low speed vehicle as defined in § 31-1-3.

28 SECTION 3. The title of Chapter 31-10.1 of the General Laws entitled "Special License
29 for Motorcycles, Motor Scooters, and Other Motor Driven Cycles" is hereby amended to read as
30 follows:

31 ~~CHAPTER 31-10.1~~

32 ~~Special License for Motorcycles, Motor Scooters, and Other Motor Driven Cycles~~

33 CHAPTER 31-10.1

34 SPECIAL LICENSES FOR MOTORCYCLES, MOTOR SCOOTERS, LOW-SPEED

1 VEHICLES AND OTHER MOTOR DRIVEN CYCLES

2 SECTION 4. Section 31-10.1-7 of the General Laws in Chapter 31-10.1 entitled "Special
3 License for Motorcycles, Motor Scooters, and Other Motor Driven Cycles" is hereby amended to
4 read as follows:

5 **31-10.1-7. Inspection.**

6 Every motorcycle, motor scooter, low-speed vehicle, or motor driven cycle shall be
7 inspected in accordance with the law providing for inspection of motor vehicles and shall display
8 a certificate of inspection as provided in chapter 38 of this title. Inspection standards for the motor
9 vehicles shall be established by the administrator of the division of motor vehicles. Inspection
10 stations shall be specially licensed to inspect motorcycles, motor scooters, and motor-driven cycles.
11 Certificates of inspection for these vehicles shall be clearly distinguishable from those issued to
12 other motor vehicles. Violations of this section are subject to fines enumerated in § 31-41.1-4.

13 SECTION 5. Title 31 of the General Laws entitled "MOTOR AND OTHER VEHICLES"
14 is hereby amended by adding thereto the following chapter:

15 CHAPTER 19.6

16 LOW-SPEED VEHICLES

17 **31-19.6-1. Low-speed vehicles.**

18 (a) Except as otherwise provided in chapters 19.4 and 19.5 of title 31, a low-speed motor
19 vehicle or low-speed vehicle shall not be operated upon any public way unless such vehicle is
20 registered in accordance with the provisions of this chapter, displays the registration number as
21 provided in § 31-3-10 and displays a slow-moving vehicle emblem on the rear of the vehicle as
22 required by § 31-10.1-7. Low-speed vehicles shall be subject to inspection as required by chapter
23 38 of title 31. The registrar may issue registration plates displaying the "Slow Moving Vehicle"
24 emblem for a low-speed vehicle upon the same terms and conditions applicable to registrants of
25 other motor vehicles and may issue a special parking identification placard bearing the same
26 designation upon the same terms and conditions applicable to persons seeking a placard for a motor
27 vehicle. Every person lawfully operating a low-speed motor vehicle shall have the right to use the
28 public highways in the state, except low-speed vehicles shall be prohibited from operation on
29 limited access highways, as defined in § 31-1-23, state highways, as defined in § 31-1-23, or
30 through highways as defined in § 31-1-23 or on any public highway or roadway with a speed limit
31 of more than thirty-five miles per hour (35 mph).

32 (b) Low-speed vehicles shall be subject to the traffic laws and regulations of the state and
33 the provisions of this section.

34 (c) Nothing in subsection (a) of this section shall be construed to prohibit a low-speed

1 motor vehicle from crossing a public highway at an intersection where the public highway to be
2 crossed has a posted speed limit between thirty-five miles per hour (35 mph) and forty-five miles
3 per hour (45 mph), provided the public highway the low-speed vehicle is traveling on and the public
4 highway the low-speed vehicle is crossing the intersection toward both have a speed limit no higher
5 than thirty-five miles per hour (35 mph) and the intersection is controlled by traffic signals or stop
6 signs.

7 (d) A municipality may, by ordinance, prohibit the operation of low-speed vehicles on a
8 laned roadway or local highway or a portion of a highway within its jurisdiction and under its
9 control, regardless of posted speeds, where it finds that use of the highway or a particular portion
10 of the highway by low-speed motor vehicles would represent an unreasonable risk of death or
11 serious injury to occupants of low-speed vehicles as a result of general traffic conditions which
12 shall include, but not be limited to, excessive speeds of other vehicles, traffic volumes, use of the
13 highway by heavy trucks or other large vehicles or if the established speed limit on the highway
14 increases above thirty-five miles per hour (35 mph) per hour beyond the point where a low-speed
15 vehicle could safely exit the highway. The municipality shall post signs where necessary to provide
16 notice to the public of such prohibited access.

17 (e) Low speed vehicles operated on Prudence Island, in the town of Portsmouth, pursuant
18 to the provisions of chapter 19.4 of title 31, are exempt from the provisions of this chapter.

19 SECTION 6. This act shall take effect July 1, 2024.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR AND OTHER VEHICLES -- DEFINITIONS AND GENERAL CODE
PROVISIONS

- 1 This act would establish regulations for the registration and operation of low-speed
- 2 vehicles in this state.
- 3 This act would take effect July 1, 2024.

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