

2018 -- H 7776 SUBSTITUTE A

LC004924/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

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

Introduced By: Representatives Marszalkowski, and Casimiro

Date Introduced: February 28, 2018

Referred To: House Corporations

(Department of Transportation)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 31-1-3, 31-1-4 and 31-1-5 of the General Laws in Chapter 31-1
2 entitled "Definitions and General Code Provisions" are 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
8 previously mentioned activities, but may not be used primarily for the transportation of
9 passengers or goods 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
12 this and other states, and may, in addition to the registration plate, retain the designation "antique"
13 and 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.

18 (b) (1) "Antique motorcycle" means any motorcycle that is more than twenty-five (25)

1 years old. Unless fully inspected and meeting inspection requirements, the vehicle shall be
2 maintained solely for use in exhibitions, club activities, parades, and other functions of public
3 interest. The vehicle may also be used for limited enjoyment and purposes other than the
4 previously mentioned activities, but may not be used primarily for the transportation of
5 passengers or goods over any public highway; and

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

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

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

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

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

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

32 (h) "Electric personal assistive mobility device" ("EPAMD") is a self-balancing, non-
33 tandem two-wheeled (2) device, designed to transport only one person, with an electric
34 propulsion system that limits the maximum speed of the device to fifteen (15) miles per hour.

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

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

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

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

19 (m) "Motor-driven cycle" means every motorcycle, including every motor scooter, with a
20 motor of no greater than five (5) horsepower, except bicycles with helper motors as defined in
21 subsection (n) of this section.

22 (n) "Motorized bicycles" means two-wheel (2) vehicles that may be propelled by human
23 power or helper power, or by both, with a motor rated not more than four and nine-tenths (4.9)
24 horsepower and not greater than fifty (50) cubic centimeters, that are capable of a maximum
25 speed of not more than thirty (30) miles per hour.

26 (o) Motorized camper: A camping recreational vehicle, built on, or permanently attached
27 to, a self-propelled motor vehicle chassis cab or van that is an integral part of the completed
28 vehicle.

29 (p) "Motorized tricycles" means tricycles that may be propelled by human power or
30 helper motor, or by both, with a motor rated no more than 1.5 brake horsepower that is capable of
31 a maximum speed of not more than thirty (30) miles per hour.

32 (q) "Motorized wheelchair" means any self-propelled vehicle, designed for, and used by,
33 a person with a disability that is incapable of speed in excess of eight (8) miles per hour.

34 (r) "Motor scooter" means a motor-driven cycle with a motor rated not more than four

1 and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters that is capable
2 of a maximum speed of not more than thirty (30) miles per hour.

3 (s) "Motor vehicle" means every vehicle that is self-propelled or propelled by electric
4 power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved
5 exclusively by human power, an EPAMD and electric motorized bicycles as defined in subsection
6 (g) of this section, and motorized wheelchairs.

7 (t) "Motor vehicle for hire" means every motor vehicle other than jitneys, public buses,
8 hearses, and motor vehicles used chiefly in connection with the conduct of funerals, to transport
9 persons for compensation in any form, or motor vehicles rented for transporting persons either
10 with or without furnishing an operator.

11 (u) Park trailer: A camping recreational vehicle that is eligible to be registered for
12 highway use and meets the following criteria: (1) Built on a single chassis mounted on wheels;
13 and (2) Certified by the manufacturer as complying with ANSI A119.5.

14 (v) "Passenger van" means every motor vehicle capable of carrying ten (10) to fourteen
15 (14) passengers plus an operator and used for personal use or on a not-for-hire basis. Passenger
16 vans may be used for vanpools, transporting passengers to and from work locations, provided that
17 the operator receives no remuneration other than free use of the vehicle.

18 (w) "Pedal carriages" (also known as "quadricycles") means a nonmotorized bicycle with
19 four (4) or more wheels operated by one or more persons for the purpose of, or capable of,
20 transporting additional passengers in seats or on a platform made a part of or otherwise attached
21 to the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed
22 to it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the
23 transportation of a handicapped person, nor shall it include a tricycle built for a child or an adult
24 with a seat for only one operator and no passenger.

25 (x) "Pick-up camper": A camping recreational vehicle consisting of a roof, floor, and
26 sides designed to be loaded onto and unloaded from the back of a pick-up truck.

27 (y) "Rickshaws" (also known as "pedi cabs") means a nonmotorized bicycle with three
28 (3) wheels operated by one person for the purpose of, or capable of, transporting additional
29 passengers in seats or on a platform made a part of, or otherwise attached to, the rickshaw. This
30 definition shall not include a bicycle built for two (2) where the operators are seated one behind
31 the other, nor shall it include the operation of a bicycle with trainer or beginner wheels affixed
32 thereto, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for
33 the transportation of a handicapped person.

34 (z) "School bus" means every motor vehicle owned by a public or governmental agency,

1 when operated for the transportation of children to or from school; or privately owned, when
2 operated for compensation for the transportation of children to or from school.

3 (aa) "Suburban vehicle" means every motor vehicle with a convertible or interchangeable
4 body or with removable seats, usable for both passenger and delivery purposes, and including
5 motor vehicles commonly known as station or depot wagons or any vehicle into which access can
6 be gained through the rear by means of a hatch or trunk and where the rear seats can be folded
7 down to permit the carrying of articles as well as passengers.

8 (bb) "Tent trailer": A towable recreational vehicle that is mounted on wheels and
9 constructed with collapsible partial side walls that fold for towing by another vehicle and unfold
10 for use and that is eligible to be registered for highway use.

11 (cc) "Trackless trolley coach" means every motor vehicle that is propelled by electric
12 power obtained from overhead trolley wires, but not operated on rails.

13 (dd) Travel trailer: A towable recreational vehicle, not exceeding three hundred twenty
14 (320) square feet in area, designed to be towed by a motorized vehicle containing a towing
15 mechanism that is mounted behind the tow vehicle's bumper and that is eligible to be registered
16 for highway use.

17 (ee) "Vehicle" means every device in, upon, or by which any person or property is or may
18 be transported or drawn upon a highway, except devices used exclusively upon stationary rails or
19 tracks.

20 (ff) "Natural gas vehicle" means a vehicle operated by an engine fueled primarily by
21 natural gas.

22 **31-1-4. Trucks and tractors.**

23 (a) "Farm tractor" means every motor vehicle designed and used primarily as a farm
24 implement, for drawing plows, mowing machines, and other implements of husbandry or farm
25 vehicles.

26 (b) "Tow cars and tow trucks" means every motor vehicle ordinarily used for the purpose
27 of towing or removing motor vehicles or assisting disabled motor vehicles.

28 (c) "Truck" means every motor vehicle designed, used, or maintained primarily for the
29 transportation of property. The administrator of the division of motor vehicles shall determine, in
30 case of doubt, if a motor vehicle is subject to registration as a truck.

31 (d) "Truck tractor" means a non-cargo-carrying power unit that operates in combination
32 with a semi-trailer or trailer, except that a truck tractor and a semi-trailer or trailer engaged in the
33 transportation of automobiles may transport motor vehicles on part of the power unit.

34 (e) "Covered heavy-duty tow and recovery vehicle" means a vehicle that is transporting a

1 disabled vehicle from the place where the vehicle became disabled to the nearest appropriate
2 repair facility; and, provided the vehicle has a gross vehicle weight that is equal to or exceeds the
3 gross vehicle weight of the disabled vehicle being transported.

4 (f)(1) "Trailer transporter towing unit" means a power unit that is not used to carry
5 property when operating in a towaway trailer transporter combination.

6 (2) "Towaway trailer transporter combination" means a combination of vehicles
7 consisting of a trailer transporter towing unit and two (2) trailers or semitrailers:

8 (i) With a total weight that does not exceed twenty-six thousand pounds (26,000 lbs.);
9 and

10 (ii) In which the trailers or semitrailers carry no property and constitute inventory
11 property of a manufacturer, distributor, or dealer of such trailers or semitrailers.

12 **31-1-5. Trailers.**

13 (a) "Automobile transporter" means any vehicle combination designed and used for the
14 transport of assembled highway vehicles, including truck camper units. An automobile
15 transporter shall not be prohibited from the transport of cargo or general freight on a backhaul,
16 provided it complies with weight limitations for a truck tractor and semitrailer combination.

17 ~~(a)~~(b) "Pole trailer" means every vehicle without motive power designed to be drawn by
18 another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being
19 boomed or secured to the towing vehicle, and ordinarily used for transporting long or irregularly
20 shaped loads such as poles, pipes, or structural members capable, generally, of sustaining
21 themselves as beams between the supporting connections.

22 ~~(b)~~(c) "Semi-trailer" means every vehicle with or without motive power, other than a pole
23 trailer, designed for carrying persons or property and for being drawn by a motor vehicle,
24 constructed so that some of its weight and that of its load rests upon or is carried by another
25 vehicle.

26 ~~(c)~~(d) "Tractor-semi-trailer combination" means every combination of a tractor and a
27 semi-trailer properly attached to the tractor to form an articulated vehicle.

28 ~~(d)~~(e) "Tractor-trailer combination" means every combination of a tractor and a trailer,
29 properly attached to the tractor to form an articulated vehicle.

30 ~~(e)~~(f) "Trailer" means every vehicle without motive power, other than a pole trailer,
31 designed for carrying persons or property and for being drawn by a motor vehicle, constructed so
32 that none of its weight rests upon the towing vehicle.

33 SECTION 2. Sections 31-25-2, 31-25-6 and 31-25-21 of the General Laws in Chapter 31-
34 25 entitled "Size, Weight, and Load Limits" are hereby amended to read as follows:

1 **31-25-2. Vehicles exempt from limitations.**

2 (a) The provisions of this chapter governing size, weight, and load shall not apply to:

3 (1) Road machinery;

4 (2) Farm vehicles, including farm tractors, temporarily moved upon a highway;

5 (3) Any vehicle owned and operated by the Rhode Island public transit authority which is
6 designed for carrying passengers and is comprised of two (2) sections permanently joined by a
7 hinge mechanism or an articulated joint which allows vertical and horizontal movement and a
8 passage for riders moving from one section to the other; ~~or~~

9 (4) A vehicle operated under the terms of a special permit issued as provided in this
10 chapter;

11 (5) Covered heavy-duty tow and recovery vehicles;

12 (6) Emergency vehicles with a weight limit of up to a maximum gross vehicle weight of
13 eighty-six thousand pounds (86,000 lbs.) or less than twenty-four thousand pounds (24,000 lbs.)
14 on a single steering axle; thirty-three thousand five hundred pounds (33,500 lbs.) on a single drive
15 axle; sixty-two thousand pounds (62,000 lbs.) on a tandem axle; or fifty-two thousand pounds
16 (52,000 lbs.) on a tandem rear drive steer axle; or

17 (7) Natural gas vehicles up to a maximum gross vehicle weight of eighty-two thousand
18 pounds (82,000 lbs.) by an amount that is equal to the difference between the weight of the
19 vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and the
20 weight of a comparable diesel tank and fueling system.

21 (b) The provisions of this chapter governing size, weight, and load shall not apply to fire
22 apparatus acquired by a city or town within this state prior to July 1, 1999.

23 **31-25-6. Maximum number and length of coupled vehicles.**

24 (a) No combination of vehicles coupled together shall consist of more than three (3)
25 units, a truck-tractor, semi-trailer, and trailer. The combination of vehicles shall not be restricted
26 in overall length, except that when a truck-tractor, semi-trailer, and a trailer are used in
27 combination, the trailer or semi-trailer each shall not exceed twenty-eight and one-half feet (28'
28 6"), excluding bumpers and accessories. Provided, however, that combinations of vehicles
29 consisting of three (3) units shall be permitted to operate only on the interstate highway system
30 and on those highways, streets, and roads designated by the director of the department of
31 transportation.

32 (b) Combinations of vehicles consisting of truck-tractor and semi-trailer coupled together
33 shall not be restricted in overall length, and semi-trailers shall not exceed fifty-three feet (53') in
34 length, excluding bumpers and accessories. Towaway trailer transporter combinations shall not be

1 [restricted to an overall length limitation of less than eighty-two feet \(82'\)](#). Semi-trailers exceeding
2 forty-eight and one-half feet (48' 6") shall be permitted to operate only on the interstate highway
3 system and on those highways, streets and roads designated by the director of the department of
4 transportation. Exceptions to the requirements of this section include the use of a pole trailer and
5 combinations designed to transport motor vehicles and/or automobiles as authorized in §§ 31-25-
6 7 and 31-25-8. The provision that no combination of vehicles coupled together shall consist of
7 more than three (3) units shall not apply to vehicles coupled together by a saddle mount device
8 used to transport motor vehicles in a drive-away service when no more than three (3) saddle
9 mounts are used, and equipment used in the combination is approved by Part 393.71 of the
10 federal motor carrier safety regulations, 49 CFR 393.71, and safety regulations of the division of
11 motor vehicles of the department of revenue of the state of Rhode Island as such federal and/or
12 state legislation may be amended or revised from time to time. Any owner or operator found
13 deviating from the approval permitted routes shall be fined a minimum mandatory fine of five
14 hundred dollars (\$500), but not more than one thousand dollars (\$1,000).

15 (c) The distance from the kingpin of the trailer to the center of the rear axle may not
16 exceed forty-one feet (41').

17 (d) Fifty-three foot (53') trailers shall be equipped with a rear end protection device of
18 substantial construction consisting of a continuous lateral beam extending to within four inches
19 (4") of the lateral extremities of the trailer, and located not more than twenty-two inches (22")
20 from the surface of the road as measured with the vehicle empty and on level surface.

21 (e) Violations of this section are subject to fines enumerated in § 31-41.1-4.

22 **31-25-21. Power to permit excess size or weight of loads.**

23 (a) The department of transportation, with respect to highways under its jurisdiction may,
24 in its discretion, upon application in writing and good cause being shown for it, approve the
25 issuance of a special permit in writing by the division of motor vehicles authorizing the applicant
26 to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load
27 exceeding eighty thousand pounds (80,000 lbs.) or otherwise not in conformity with the
28 provisions of chapters 1 -- 27 of this title upon any highway under the jurisdiction of the party
29 granting the permit and for the maintenance of which the party is responsible. Permits which have
30 been issued for a full year shall not be required to be renewed for the period of time for which
31 payment has been made and the application and other required documentation has been
32 completed and filed. Provided, that neither the department of transportation nor the local
33 authorities may approve the issuance of permits for divisible loads weighing in excess of one
34 hundred four thousand-eight hundred pounds (104,800 lbs.), gross vehicle weight, for five (5)

1 axle vehicles and seventy-six thousand six hundred fifty pounds (76,650 lbs.), gross vehicle
2 weight, for three (3) axle vehicles.

3 (1) Provided, however, that for milk products, any vehicle carrying fluid milk products
4 shall be considered a load that cannot be easily dismantled or divided.

5 (b) The director of the department of transportation may enter into agreements with other
6 states, the District of Columbia and Canadian provinces providing for the reciprocal enforcement
7 of the overweight or over-dimensional vehicle permit laws of those jurisdictions entering into the
8 agreement.

9 (c) Trip permit fee. A fee of twenty dollars (\$20.00) shall be paid to the division of motor
10 vehicles for the issuance of each non-reducible vehicle or load permit.

11 (d) Annual fee. A fee of three hundred dollars (\$300) paid to the division of motor
12 vehicles shall exempt the payor from the necessity of paying trip permit fees as found in
13 subsection (c) of this section. However, payment of the fee shall not be deemed to authorize non-
14 compliance with the rules and regulations promulgated by the department of transportation
15 entitled "State of Rhode Island Manual for Overweight and Oversize Vehicle Permits".

16 (e) Blanket construction equipment permits may be issued, as determined by the
17 department of transportation, for intrastate movement of non-reducible loads upon payment of the
18 fee set forth in subsection (d) of this section. The duration of the blanket permit may not exceed
19 one year, and the construction equipment permit load shall be limited to a minimum overall
20 length of fifty-five feet (55'), a maximum overall length of eighty feet (80'), and a maximum
21 width of twelve feet four inches (12' 4"), provided that neither the division of motor vehicles, nor
22 local authorities may issue blanket permits for non-divisible loads weighing in excess of one
23 hundred thirty thousand pounds (130,000 lbs.) on less than six (6) axles, with individual axle
24 weights exceeding twenty-five thousand pounds (25,000 lbs.); provided, further, that the
25 department of transportation, with respect to highways under its jurisdictions, may in its
26 discretion and upon application and for good cause shown approve the issuance of a special trip
27 permit authorizing the applicant to exceed one hundred thirty thousand pounds (130,000 lbs.) for
28 non-divisible loads. A flashing amber light shall be in operation above the highest point of the
29 vehicle and shall be visible from both the front and rear of the vehicle; and signs and red warning
30 flags shall be affixed to all extremities. All blanket permits issued in accordance with this section
31 shall be effective during daylight and night-time hours, for all over dimensional moves made and
32 travel shall be allowed on state highways. The following restrictions on travel times shall apply
33 to:

34 (1) Freeways -- in general.

1 No travel will be allowed between the hours of 7:00 am and 9:00 am or between 3:00 pm
2 and 7:00 pm on any day of the week.

3 (2) Arterial roadways.

4 No travel will be allowed between the hours of 7:00 am and 9:00 am or between 3:00 pm
5 and 7:00 pm, Monday through Friday.

6 (3) Holidays.

7 Memorial Day, Victory Day, Labor Day & Columbus Day -- No Saturday, Sunday or
8 Monday day or night travel.

9 Thanksgiving Day -- No Wednesday night or Thursday day or night travel. No travel on
10 Wednesday through Sunday of Thanksgiving week in any calendar year.

11 Independence Day, Veterans Day, Christmas Day -- No day or night travel and no travel
12 the previous night.

13 Easter Sunday. No Saturday night or Sunday travel.

14 (f) Construction equipment blanket permits shall not be granted for travel over the
15 following bridges:

16 Blackstone River Viaduct 750 carrying I-295 northbound and southbound over the
17 Blackstone River;

18 Kingston Road Bridge No. 403 carrying I-95 northbound and southbound over Kingston
19 Road.

20 (g) Travel of blanket permitted construction equipment through zones with reductions in
21 lane width such as construction zones will not be allowed. Prior to travel, blanket permit holders
22 are responsible to verify the location of construction zones and lane width reductions. Locations
23 of lane width reduction zones are available through the state department of transportation's
24 construction office.

25 SECTION 3. This act shall take effect on January 1, 2019.

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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 amend several provisions relative to truck size and weight limitations to
- 2 be compatible with federal law.
- 3 This act would take effect on January 1, 2019.

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