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LC001396

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

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

Introduced By: Representatives Canario, Edwards, Kennedy, Shekarchi, and Azzinaro

Date Introduced: February 14, 2019

Referred To: House Corporations

(Dept. of Corrections)

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
2 and General Code Provisions" is hereby amended to read as follows:

3 **31-1-3. Types of vehicles. [Effective January 1, 2019.]**

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~~ of the department of corrections
12 while in the performance of official duties; vehicles used by the state bomb squad within the
13 division of state fire marshal; vehicles of municipal departments or public service corporations
14 designated or authorized by the administrator as ambulances and emergency vehicles; and
15 privately owned motor vehicles of volunteer firefighters or privately owned motor vehicles of
16 volunteer ambulance drivers or attendants, as authorized by the department chief or commander
17 and permitted by the Rhode Island Association of Fire Chiefs and Rhode Island Association of
18 Police Chiefs Joint Committee 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 bicycle" 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
2 (400) 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
27 attached to, a self-propelled motor vehicle chassis cab or van that is an integral part of the
28 completed 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) "Natural gas vehicle" means a vehicle operated by an engine fueled primarily by
12 natural gas.

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

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

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

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

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

1 the transportation of a person with a disability.

2 (aa) "School bus" means every motor vehicle owned by a public or governmental agency,
3 when operated for the transportation of children to or from school; or privately owned, when
4 operated for compensation for the transportation of children to or from school.

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

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

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

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

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

22 SECTION 2. This act shall take effect upon passage.

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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 classify all vehicles used by the department of corrections in the
- 2 performance official duties as authorized emergency vehicles.
- 3 This act would take effect upon passage.

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