



General Assembly

January Session, 2005

Committee Bill No. 48

LCO No. 4846

04846SB00048TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

**AN ACT CONCERNING RESTRICTIONS ON THE OPERATION OF
MINI-MOTORCYCLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) (a) For the purposes of
2 this section, "mini-motorcycle" means a vehicle, as defined in section
3 14-1 of the general statutes, that (1) has not more than three wheels in
4 contact with the ground, (2) is equipped with or is designed to have a
5 seat on which the rider may sit, (3) is propelled by an engine having a
6 piston displacement of 50 c.c. or less, (4) is capable of a speed in excess
7 of twenty miles per hour, and (5) is not eligible to be registered as a
8 motor vehicle under section 14-12 of the general statutes.

9 (b) No person shall operate a mini-motorcycle or ride as a passenger
10 on a mini-motorcycle on any highway, public sidewalk or public
11 property of this state. No owner of a mini-motorcycle shall permit a
12 person to operate the owner's mini-motorcycle or to ride as a
13 passenger on the owner's mini-motorcycle on any highway, public
14 sidewalk or public property of this state.

15 (c) Except on private property owned by the operator of a mini-

16 motorcycle, no person shall operate a mini-motorcycle or ride as a
17 passenger on a mini-motorcycle on any private property in this state
18 unless such operator has in the operator's possession written
19 permission from the owner of the private property to operate such
20 mini-motorcycle and, as the case may be, to carry a passenger on such
21 property.

22 (d) Except on private property owned by the owner of the mini-
23 motorcycle, no owner of a mini-motorcycle shall permit a person to
24 operate the owner's mini-motorcycle or to ride as a passenger on the
25 owner's mini-motorcycle on any private property in this state unless
26 such operator has in the operator's possession written permission from
27 the owner of the private property to operate such mini-motorcycle
28 and, as the case may be, to carry a passenger on such property.

29 (e) The law enforcement agency that issues a summons for the
30 alleged commission of an infraction under this section may take
31 possession of such mini-motorcycle until it receives notice from the
32 owner of such mini-motorcycle sufficient to inform the agency that
33 final disposition has occurred of the alleged commission of such
34 infraction. On receipt of such notice, the law enforcement agency shall,
35 on payment by the owner to such agency of reasonable transportation
36 and storage fees, release such mini-motorcycle to its owner, except a
37 law enforcement agency in possession of such mini-motorcycle for
38 more than one hundred eighty days after taking possession of it
39 pursuant to this subsection may sell or otherwise dispose of such mini-
40 motorcycle.

41 (f) No person may offer for sale, lease or rent a mini-motorcycle
42 unless such mini-motorcycle has a warning label that gives warning
43 information about the safe and legal use of a mini-motorcycle and
44 about the limitations on use and the possible consequences of use in
45 violation of such limitations, set forth in subsections (b) to (e),
46 inclusive, of this section. Such person, on sale, lease or rent of a mini-
47 motorcycle, shall give a written clear and conspicuous statement,

48 separate from the warning label, to the purchaser, lessee or renter of
49 such mini-motorcycle containing such warning information.
50 Advertisements for mini-motorcycles and oral communications of a
51 person offering for sale, lease or rent a mini-motorcycle shall not
52 contain information inconsistent with any information required in this
53 section. Until regulations required in subsection (h) of this section are
54 adopted, persons offering for sale, lease or rent of a mini-motorcycle
55 shall display such warning information, advertise and make oral
56 communications in a manner consistent with the provisions of this
57 section. The provisions of this subsection do not apply to any person
58 selling fewer than five used mini-motorcycles in one calendar year,
59 provided any person claiming inapplicability of the provisions of this
60 subsection shall have the burden of proving such inapplicability.

61 (g) On or before January 1, 2006, the Department of Motor Vehicles
62 shall adopt regulations, in accordance with the provisions of chapter
63 54 of the general statutes, that set forth the warning information
64 required in this section and manner of display of such warning
65 information, establish the form of notice sufficient for subsection (e) of
66 this section, set reasonable transportation and storage fees and
67 otherwise implement the provisions of this section.

68 (h) Nothing in this section shall prohibit a municipality from
69 adopting more restrictive limitations on the use and sale, lease or rent
70 of mini-motorcycles.

71 (i) Violation of any provision of this section shall be an infraction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	New section

Statement of Purpose:

To promote public safety by restricting the operation of miniature motorcycles.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. DEFRONZO, 6th Dist.; REP. LEONE, 148th Dist.

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