

Young people love motor vehicles. It's a given. Dirt bikes, four-wheelers, go-carts, and the latest offering are motorized scooters and mini motorized motorcycles.

State law has six definitions for people to consider when they are determining what defines these vehicles.

41-6-1- (10) “Electric assisted bicycle” means a moped with an electric motor with a power output of not more than 1,000 watts, which is not capable of propelling the device at a speed of more than 20 miles per hour on level ground, and which is not capable of increasing the speed of the device when human power is used to propel the device at more than 20 miles per hour.

41-6-1 (20) “Moped” means a motor driven cycle having both pedals to permit propulsion by human power, and a motor which produces not more than two brake horsepower and which is not capable of propelling the cycle at a speed in excess of 30 miles per hour on level ground. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters and the moped shall have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged. A moped includes an electric assisted bicycle and a motor assisted scooter.

41-6-1 (21) “Motor assisted scooter” means a self propelled device with at least two wheels in contact with the ground, a braking system capable of stopping the unit under typical operating conditions, a gas or electric motor not exceeding 40 cubic centimeters, a deck design for a person to stand while operating the device, and the ability to be propelled by human power alone.”

41-6-1 (23) “Motor Cycle” means every motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to travel with not more than three wheels in contact with the ground

41-6-1 (24) “Motor driven cycle” means every motorcycle and motor scooter, personal motorized mobility device, moped, electric assisted bicycle, motor assisted scooter, and every motorized bicycle having an engine with less than 150 cubic centimeters displacement or having a motor which produces not more than five horsepower.

41-6-1 (33) “Personal motorized mobility device” means a self-propelled device with two non-tandem wheels in contact with the ground, a system capable of steering and stopping the unit under typical operating conditions, a motor not exceeding one horse power or 750 watts, and a deck design for a person to stand while operating the device.”

Motor assisted scooters and personal motorized mobility devices fall under the following statutes: 41-6-90.5

- (1) (a) Except as otherwise provided in this section, a motor assisted scooter and a personal motorized mobility device is subject to the provisions under this chapter for a bicycle, moped, or a motor-driven cycle.
- (2) A person under 16 years of age may not operate a personal motorized device or a motor assisted scooter using the motor unless the person is under the direct supervision of the person's parent or guardian.
- (3) A person may not operate a motor assisted scooter
 - (a) in a public parking structure;
 - (b) on public property posted as an area prohibiting skateboards;
 - (c) on a highway consisting of a total of four or more lanes designated for regular vehicular traffic;
 - (d) on a highway with a posted speed limit greater than 25 miles per hour; or
 - (e) that has been structurally altered from the original manufacturer's design.
- (4) A person may not operate a personal motorized mobility device:
 - (a) on a highway consisting of a total of four or more lanes designated for regular vehicular traffic;
 - (b) on a highway with a posted speed limit greater than 35 miles per hour; or
 - (c) that has been structurally altered from the original manufacturer's design; or
- (5) Except where posted or prohibited by rule or local ordinance, a motor assisted scooter is considered a non-motorized vehicle if it is being used with the motor turned off.
- (6) A person who violates this section is guilty of a class C misdemeanor.

Motorcycles, motor-driven cycles, and all terrain type I vehicles fall under the following statute 41-6-107.2

- (1) All motorcycles and motor-driven cycles are entitled to full use of a lane and no motor vehicle may be driven in a manner so as to deprive any motorcycle or motor-driven cycle of the full use of a lane, This subsection does not apply to motorcycles or motor driven cycles operated two abreast in a single lane.
- (2) The operator of a motorcycle or motor-driven cycle may not overtake and pass in the same lane occupied by the vehicle being overtaken.

- (3) No person may operate a motorcycle or motor-driven cycle between lanes or traffic, or between adjacent lines or rows of vehicles.
- (4) Motorcycles or motor-driven cycles may not be operated more than two abreast in a single lane.
- (5) Subsections (2) and (3) do not apply to police officers in the performance of their official duties.
- (6) The provisions of this section also apply to all-terrain type I vehicles.

53-3-102 (3) Class "M" License means the class of license issued to drive a motorcycle as defined under this chapter (Definition is the same as 41-6-1) Definition **53-3-102 (19)** "Motorcycle means every motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to travel with not more than three wheels in contact with the ground.

Noted: There is no CC restriction in the definition of motorcycle. If a person is driving a motorcycle they need a motorcycle license.

53-3-213

- (1) (c) It is a class C misdemeanor for any person to drive a class of motor vehicle for which he is not licensed.
- (2)

Under Miscellaneous Rules:

41-6-106.10 Sidewalk – Driving prohibited-
Except for a bicycle or device propelled by human power, a person may not operate a vehicle upon a sidewalk or sidewalk area except upon a driveway.

Registration:

41-1a-202 Vehicle's exempt from registration

- (3) (m) electric assisted bicycle defined under Section 41-6-1
- (n) motor assisted scooter defined under Section 41-6-1
- (o) personal motorized mobility device defined under Section 41-6-1