

# SB 1258

RELATING TO TRANSPORTATION.

Establishes requirements for operating an autocycle. Defines autocycle.



**Testimony by:**  
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IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 10, 2017  
1:15 p.m.  
State Capitol, Room 225

**S.B. 1258**  
**RELATING TO TRANSPORTATION**

Senate Committee on Transportation and Energy

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The Department of Transportation (DOT) **supports** this bill with amendments that establishes requirements for operating an autocycle and defines autocycle

Amend subsection (b) of Section 1 by adding “type 2” and “(b)(2)” that is underscored so as to read as follows:

“(b) No person shall operate an autocycle on a public street, road, or highway in this State unless the person possesses a valid type 2 driver's license pursuant to section 286-102**(b)(2)** and the autocycle has been duly registered pursuant to subsection (a).”

Amend the definition of “Autocycle” in Section 2 to read as follows:

“Autocycle” means a three-wheeled motorcycle with non-straddle seating, is steered by something other than a handlebar, and is certified by the manufacturer to comply with all applicable federal motor vehicle safety standards as of the date of manufacture.”

Thank you for the opportunity to provide testimony.



**POLARIS®**

**2100 Highway 55, Medina, MN 55340**

TO: Senator Lorraine r. Inouye, Chair Transportation and Energy Committee  
Senator Donovan M. Dela Cruz, Vice Chair  
Members of the House Transportation and Energy Committee

FROM: J.R. Burke, Senior Manager, North America Government Relations, Polaris Industries Inc.

RE: Testimony in **Support of Senate Bill (SB) 1258**  
RELATING TO TRANSPORTATION.  
Establishes requirements for operating an autocycle. Defines autocycle

Chair Inouye & members of the Senate Committee on Transportation and Energy:

In 2014, Polaris Industries introduced the Slingshot to the market in North America. The Slingshot is defined under National Highway Traffic Safety Administration (NHTSA) laws and regulations as a motorcycle. Given that, the product has a Vehicle Identification Number (VIN) that coincides with this federal classification, has a compliance label listing the body type as motorcycle, and a Manufacturer's Statement of Origin listing the same.

The Slingshot is legal in forty-nine states, Hawaii being the exclusion. Where Slingshot is legal, it is defined either as a motorcycle, a motorcycle subtype called autocycle or as a stand-alone autocycle vehicle category.

As you can see by the map in the materials you received, a significant number of states have developed autocycle definitions for the treatment of these unique motorcycle types such as Slingshot. This trend was precipitated by the 2013 publishing of a document titled, *Best Practices for the Regulation of Three-Wheel Vehicles*, by the American Association of Motor Vehicle Administrators (AAMVA). The introduction of the Slingshot has only hastened the enactment of these definitions by states.

The subject-matter experts with AAMVA define an autocycle as follows:

1. Three wheels;
2. Motorcycle;
3. Steering wheel; and
4. Non-straddle seating.

This definition distinguishes autocycles from traditional motorcycles by way of steering mechanism and seating type, but describes the vehicle as a type of motorcycle, an approach adopted by the vast majority of autocycle states and as described in Section 2 and Section 3 of House Bill 1258. Adding language stating that the vehicle be manufactured to federal motorcycle safety standards, rounds out the definition under this proposed legislation.

Another key feature of the AAMVA's recommendations is that autocycle operators be exempted from the requirement to carry a motorcycle license or endorsement, instead being able to operate these products under their regular driver's license. This is the case in each state with an autocycle law having previously been enacted, and, in practice applies similarly to Slingshot in other states where it is still strictly considered a motorcycle. This is supported by Polaris as described in Section 1 of this proposed legislation.

The remainder of the bill addresses registration requirements, technical distinctions between motorcycles with straddle and non-straddle seating, so that occupants are required to be seated properly, and provides for immediate effectiveness upon approval. This provides the Polaris dealers here in Hawaii, all independently-owned small businesses, the ability to begin stocking Slingshot and growing their business with this innovative product.

One final note. Polaris reads Hawaii's current motor vehicle law to require seat belts where so equipped, which we suspect would include autocycles given the term "motor vehicle" being used in the definition under Section 2. However, if such a reading is inaccurate or current law can be amended to be more specific, we would be favorable of such an approach to address occupant protection.

Thank you for the opportunity to address the committee and issue Polaris' support for Senate Bill 1258. I am happy to answer any questions.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 7, 2017 3:38 PM  
**To:** TRE Testimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for SB1258 on Feb 10, 2017 13:15PM\*

**SB1258**

Submitted on: 2/7/2017

Testimony for TRE on Feb 10, 2017 13:15PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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