

1 HB185  
2 147599-1  
3 By Representatives Farley, Williams (D), Ball, Tuggle, Wood,  
4 Patterson and Sanderford  
5 RFD: Public Safety and Homeland Security  
6 First Read: 07-FEB-13

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8 SYNOPSIS: Under existing law, a person age 16 or older  
9 may operate a motorcycle and a person age 14 or  
10 older may operate a motor-driven cycle. A  
11 motor-driven cycle is defined as a motorcycle which  
12 is smaller in weight and power.

13 The Department of Public Safety issues Class  
14 M motorcycle licenses and Class M motorcycle  
15 licenses restricted to the operation of a  
16 motor-driven cycle and issues Class M motorcycle  
17 endorsements on driver's licenses for the operation  
18 of motorcycles.

19 This bill would require a person who on the  
20 effective date of the act does not have a Class M  
21 motorcycle license or endorsement on his or her  
22 license to take and pass a motorcycle knowledge  
23 test given by the Department of Public Safety in  
24 order to have a motorcycle endorsement displayed on  
25 his or her driver's license or to obtain a Class M  
26 motorcycle license, including a Class M motorcycle  
27 license restricted to a motor-driven cycle.

1                   The bill would also provide that the  
2                   provisions of the graduated driver's license law  
3                   restricting the operation of a motor vehicle by a  
4                   person age 16 or 17 and its provision for  
5                   exceptions and suspensions of licenses would under  
6                   certain conditions apply to persons under age 18  
7                   operating a motorcycle or a motor-driven cycle.

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9                   A BILL  
10                  TO BE ENTITLED  
11                  AN ACT

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13                 To amend Sections 32-5A-240 and 32-12-22 of the Code  
14                 of Alabama 1975, relating to motorcycles and motor-driven  
15                 cycles, to further provide for the issuance of Class M  
16                 motorcycle licenses, including Class M motorcycle licenses  
17                 with a motor-driven cycle restriction, and Class M  
18                 endorsements on driver's licenses; and to require a knowledge  
19                 test under certain conditions.

20                 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21                 Section 1. Sections 32-5A-240 and 32-12-22 of the  
22                 Code of Alabama 1975, are amended to read as follows:

23                 "§32-5A-240.

24                 "(a) Every person operating a motorcycle shall be  
25                 granted all of the rights and shall be subject to all of the  
26                 duties applicable to the driver of any other vehicle under  
27                 this chapter, except as to special regulations in this article

1 and except as to those provisions of this chapter which by  
2 their nature can have no application.

3 "(b) After the effective date of the act adding this  
4 subsection, a person shall have a Class M endorsement on his  
5 or her driver's license or have a Class M motorcycle license  
6 in order to operate a motorcycle or a motor-driven cycle.  
7 Except as otherwise provided for a Class M motorcycle license  
8 restricted to a motor-driven cycle, a Class M endorsement or a  
9 Class M motorcycle license may be issued to a person age 16 or  
10 older. A Class M motorcycle license restricted to a  
11 motor-driven cycle may be issued to a person age 14 or older.

12 "(c) Any person who, on the effective date of this  
13 act adding the subsection, does not have a Class M endorsement  
14 on his or her driver's license or who does not have a Class M  
15 motorcycle license shall be required to successfully pass a  
16 motorcycle knowledge test designated by the Department of  
17 Public Safety in order to have a motorcycle Class M  
18 endorsement on his or her driver's license or to receive a  
19 Class M motorcycle license.

20 "(d) The provisions of Section 32-6-7.2 relating to  
21 the hours of operation of a motor vehicle by persons under age  
22 18 shall apply to any person under the age of 18 operating a  
23 motorcycle or motor-driven cycle without regard to the length  
24 of time the person has been licensed to operate a motorcycle  
25 or a motor-driven cycle, but the person shall be subject to  
26 any other exception in Section 32-6-7.2. In addition, the  
27 person shall be subject to the suspension of his or her

1 driver's license or Class M motorcycle license, including a  
2 Class M motorcycle license restricted to a motor-driven cycle,  
3 for a conviction under subsection (d) of Section 32-6-7.2.

4 "§32-12-22.

5 ~~"Every person, except a person holding a driver's~~  
6 ~~license issued under authority of Chapter 6 of this title,~~  
7 ~~before operating any motor-driven cycle upon a public highway~~  
8 ~~in this state, shall register it with the Director of Public~~  
9 ~~Safety and procure an operator's license. Operators' licenses~~  
10 ~~shall be issued under and be governed by the provisions of~~  
11 ~~Chapter 6 of this title; except, that such a license shall be~~  
12 ~~issued to any person 14 years of age and older if such a~~  
13 ~~person can satisfy the Director of Public Safety or an~~  
14 ~~examining officer that he or she is competent to operate a~~  
15 ~~motor-driven cycle with safety to persons and to property.~~

16 "A Class M motorcycle license with a motor-driven  
17 cycle restriction may be issued to any person 14 years of age  
18 and older only if the person can pass a motorcycle knowledge  
19 test designated by the Department of Public Safety."

20 Section 2. This act shall become effective  
21 immediately following its passage and approval by the  
22 Governor, or its otherwise becoming law.