

CHAPTER 168  
FORMERLY  
HOUSE BILL NO. 98

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 101, Title 21 of the Delaware Code as follows and redesignating accordingly:

§ 101 Words and phrases.

For the purposes of this title, unless the context otherwise clearly indicates:

(1) "Autocycle" means a three-wheel vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

(33) "Motorcycle" includes every motor vehicle designed to travel on not more than 3 wheels in contact with the ground, except any such vehicle as may be included within the definition of "autocycle" or "tractor" and excepting electric personal assistive mobility device (EPAMD).

Section 2. Amend § 2703(a), Title 21 of the Delaware Code as follows:

§ 2703 License to operate a motorcycle, motorbike, etc.

(a) No person shall operate a motorcycle, motorbike or other 2-wheeled or 3-wheeled motor-driven vehicle, as defined in § 101(33) of this title, upon a highway of this State without having been properly licensed and having passed, to the satisfaction of the Department, an examination testing the person's ability to operate such vehicle safely. The Department shall place a motorcycle endorsement on the driver license authorizing the operation of such vehicle. A person who passes an examination administered by the Department on a 3-wheeled motorcycle shall have a restriction placed on his or her driver license, in addition to the motorcycle endorsement, limiting him or her to the operation of 3-wheeled motorcycles. A temporary motorcycle instruction permit can be issued to a person age 18 or older after passing a written motorcycle examination. This permit expires in 6 months. If for any reason whatsoever the applicant fails to pass the required road skills examination during the 6-month period granted by the permit, the permit shall be void, and the fee paid therefor shall be forfeited unless the applicant requests an extension thereof and pays the sum of \$5.00. Upon payment of said sum the Division shall immediately issue 1 extension only of the permit for an additional 6 months. If the applicant fails to pass the required examination within the additional 6-month period, the permit shall become void. The following provisions shall apply to a person while operating a motorcycle with a temporary instruction permit for the operation of a motorcycle:

- (1) No passengers shall be allowed on the motorcycle;
- (2) Operating a motorcycle between sunset and sunrise is prohibited;
- (3) A safety helmet and eye protection as approved by the Office of Highway Safety must be worn;

and,

- (4) Operation is not permitted on the federal interstate highway system.

Approved August 17, 2015