

CHAPTER 486 - MOTORCYCLES AND SIMILAR VEHICLES

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GENERAL PROVISIONS

SECTION 486.011 Definitions. As used in [SECTION 486.011](#) to [486.381](#), inclusive, unless the context otherwise requires, the words and terms defined in [SECTION 486.031](#) to [486.057](#), inclusive, have the meanings ascribed to them in those sections.

SECTION 486.031 “Highway” defined. “Highway” means the entire width between the boundary lines of every way maintained by a public authority when any part thereof is open to the use of the public for purposes of vehicular traffic.

SECTION 486.038 “Moped” defined. “Moped” means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more

than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↪ The term does not include an electric bicycle as defined in [SECTION 483.067](#).

SECTION 486.041 “Motorcycle” defined. “Motorcycle” means every motor vehicle equipped with a seat or a saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, excluding an electric bicycle as defined in [SECTION 483.067](#), a tractor and a moped.

SECTION 486.051 “Muffler” defined. “Muffler” means a device consisting of a series of chambers or baffle plates, or other mechanical design, for the purpose of receiving exhaust gas from an internal combustion engine, and is effective in reducing noise, but does not include such a device equipped with an apparatus which permits the exhaust gas to be discharged directly into the air without passing through such device.

SECTION 486.055 “Program” defined. “Program” means the Program for the Education of Motorcycle Riders.

SECTION 486.057 “Trimobile” defined. “Trimobile” means every motor vehicle designed to travel with three wheels in contact with the ground, two of which are power driven.

DRIVERS’ LICENSES

SECTION 486.061 License required to operate motorcycle or trimobile; exception. Except for a nonresident who is at least 16 years of age and is authorized by the person’s state of residency to drive a motorcycle, a person shall not drive:

1. A motorcycle, except a trimobile, upon a highway unless that person holds a valid motorcycle driver’s license issued pursuant to [SECTION 486.011](#) to [486.381](#), inclusive, or a driver’s license issued pursuant to [chapter 483](#) of SECTION endorsed to authorize the holder to drive a motorcycle.

2. A trimobile upon a highway unless that person holds a valid motorcycle driver’s license issued pursuant to [SECTION 486.011](#) to [486.381](#), inclusive, or a driver’s license issued pursuant to [chapter 483](#) of SECTION.

SECTION 486.171 Permitting unauthorized person to drive. A person shall not authorize or knowingly permit a motorcycle, except a trimobile, owned by or under the control of the person to be driven upon any highway by any person who is not authorized pursuant to [SECTION 486.011](#) to [486.381](#), inclusive, to drive a motorcycle.

OPERATION AND EQUIPMENT

SECTION 486.181 Carrying passengers.

1. A motorcycle or moped shall not be driven upon a highway while carrying more than one person unless such motorcycle or moped is designed by the manufacturer to carry more than one person.

2. A passenger shall ride:

(a) Behind the driver and astride the permanent or regular seat which was designed for two persons;

(b) Astride another seat firmly attached at the rear of the driver; or

(c) In a sidecar attached.

3. Every such motorcycle or moped designed for transporting a passenger shall be equipped with footrests adjusted to fit such passenger.

SECTION 486.191 Driver's position while operating.

1. A person driving a motorcycle or moped shall ride only upon the permanent and regular seat attached thereto.

2. A person shall not drive a motorcycle or moped with the seat for the driver so positioned that the driver, when sitting astride the seat with the motorcycle or moped in a stopped and upright position, cannot reach the ground with both feet simultaneously.

SECTION 486.201 Height of handlebar. A person shall not drive a motorcycle or moped equipped with handlebars which extend above the uppermost portion of the driver's shoulders when the driver sits on the seat and the seat is depressed by the weight of the driver.

SECTION 486.211 Position of driver's hands. The driver of a motorcycle or moped shall drive with at least one hand on a handlebar at all times.

SECTION 486.221 Fenders required while in operation. A person shall not drive a motorcycle or moped unless the wheels are protected by fenders to prevent the throwing of rocks, dirt, water or other substances to the rear.

SECTION 486.231 Protective headgear and glasses: Standards; when use required.

1. The Department shall adopt standards for protective headgear and protective glasses, goggles or face shields to be worn by the drivers and passengers of motorcycles and transparent windscreens for motorcycles.

2. Except as provided in this section, when any motorcycle, except a trimobile or moped, is being driven on a highway, the driver and passenger shall wear protective headgear securely fastened on the head and protective glasses, goggles or face shields meeting those standards. Drivers and passengers of trimobiles shall wear protective glasses, goggles or face shields which meet those standards.

3. When a motorcycle or a trimobile is equipped with a transparent windscreen meeting those standards, the driver and passenger are not required to wear glasses, goggles or face shields.

4. When a motorcycle is being driven in a parade authorized by a local authority, the driver and passenger are not required to wear the protective devices provided for in this section.

5. When a three-wheel motorcycle on which the driver and passengers ride within an enclosed cab is being driven on a highway, the driver and passengers are not required to wear the protective devices required by this section.

SECTION 486.241 Protective headgear and glasses: Sale or distribution.

1. A person shall not sell, offer for sale or distribute any protective headgear, glasses, goggles or face shields for use by any drivers or passengers of motorcycles or transparent windscreens for motorcycles unless the equipment is of a type and specification meeting the standards therefor adopted by the Department.

2. The provisions of this section do not prohibit the sale of protective headgear, glasses, goggles or face shields which comply with the rules and regulations adopted by the United States Department of Transportation.

(Added to SECTION by 1971, 1469; A 1985, 1960)

SECTION 486.251 Use of head lamps, stop lights and turn signals required.

1. Every motorcycle or moped operated upon a highway of this State, or Reservation, at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, because of insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead must display lighted lamps and illuminating devices as respectively required pursuant to [SECTION 486.011](#) to [486.381](#), inclusive.

2. Every motorcycle or moped operated upon a highway must be equipped with stop lights to be lighted in the manner prescribed for the use of such devices.

SECTION 486.261 Tail lamps.

1. Except as otherwise provided in subsection 3, every motorcycle or moped must be equipped with at least one tail lamp mounted on the rear, which, when lighted as required by [SECTION 486.011](#) to [486.381](#), inclusive, emits a red light plainly visible from a distance of 500 feet to the rear.

2. The tail lamp must be wired to be lighted whenever the head lamp is lighted.

3. The tail lamp on a motorcycle may contain a blue insert that does not exceed 1 inch in diameter.

SECTION 486.271 Turn signals.

1. Every motorcycle manufactured after January 1, 1973, which is sold or offered for sale and which is intended to be operated upon the highways of this State, or Reservation, shall be equipped with electric turn signal lamps.

2. Such lamps shall be located on the front and rear and shall indicate an intention to turn by flashing lights in the direction toward which the turn is to be made.

3. The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit white or amber light, or any shade of light between white and amber.

4. The lamps showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable, and, when signaling, shall emit red or amber light, or any shade of light between red and amber.

SECTION 486.281 Head lamps.

1. Every motorcycle or moped shall be equipped with at least one and not more than two head lamps.
2. Every such head lamp on a motorcycle shall be located at a height of not more than 54 inches nor less than 24 inches from the ground as measured from the center of the lamp to the level ground upon which such motorcycle stands without a load.

SECTION 486.291 Reflectors.

1. Every motorcycle or moped shall carry on the rear at least one reflector, which shall be mounted at a height not less than 20 inches nor more than 60 inches from the ground as measured from the center of the reflector to the level ground upon which such motorcycle or moped stands without a load.
2. Each such reflector shall be of a size and character and so mounted as to be visible at night from all distances within 300 feet when directly in front of lawful lower beams of head lamps.

SECTION 486.301 Brakes. Every motorcycle or moped shall be equipped with brakes adequate to control the stopping and holding as prescribed in [SECTION 484D.250](#) and [484D.255](#).

SECTION 486.311 Mirrors. Every motorcycle or moped shall be equipped with two mirrors, each containing a reflection surface not less than 3 inches in diameter, with one mirror mounted on each handlebar, in positions enabling the driver to view clearly the highway for a distance of 200 feet to the rear.

SECTION 486.331 Rights and duties of drivers. A person driving a motorcycle or moped upon a highway is entitled to all the rights and subject to all the duties applicable to the drivers of motor vehicles as provided by law, except those provisions which by their nature can have no application.

SECTION 486.341 Right to full use of traffic lane. Every motorcycle or moped when being driven on the highway is entitled to full use of the traffic lane it is occupying, and a person shall not drive another motor vehicle in a manner which would deprive any such motorcycle or moped of such use.

(Added to SECTION by 1971, 1470; A 1975, 1084)

SECTION 486.351 Unlawful passing; driving abreast.

1. A person, except a police officer in the performance of his or her duty, shall not drive a motorcycle or moped between moving or stationary vehicles occupying adjacent traffic lanes.
2. Except as provided in subsection 3, a person shall not drive a motorcycle, moped or trimobile abreast of or overtake or pass another vehicle within the same traffic lane.
3. Motorcycles and mopeds may, with the consent of the drivers, be operated no more than two abreast in a single traffic lane.

SECTION 486.352 Prohibition. It is unlawful for any person to drive or operate a motorcycle, motor-powered bicycle, or any other motor-powered vehicles commonly known to be “off-road” type vehicles used principally for sport or hunting purposes on any vacant lands not a public street or right-of-way when such vacant land is within one thousand (1,000) feet of any residential area.

SECTION 486.353 Vacant land defined. For the purposes of this chapter, “vacant land” is defined as any land not improved and utilized as and for a residential or commercial purposes.

SECTION 486.354 Exceptions

- (a) This chapter shall not apply to any police, fire or other emergency or local, state, federal or governmental vehicle, or Tribal maintenance vehicle.
- (b) This chapter shall not apply to any public or private lands expressly set apart for the use of the motor vehicles, by or with permission of the owner of such lands pursuant to any zoning permit or other permit or licensing procedure authorized by law.
- (c) This chapter shall not apply to any golf cart used on a golf course.

SECTION 486.355 Penalty. Any person who shall violate any of the provisions of this section shall be guilty of a **Category D Offense**.

SECTION 486.361 Driver’s license to be surrendered on demand. Every person driving a motorcycle shall manually deliver his or her license to drive a motorcycle to any police officer or court upon request therefor by such officer or court.

PENALTIES

SECTION 486.381 Violation of provisions concerning motorcycles and similar vehicles. Any person violating any provisions of [SECTION 486.011](#) to [486.361](#), inclusive, is guilty of a **Category D Offense**.