

Registering and Titling Motorized Bicycles (Mopeds)

During the 2006 Iowa legislative session, a bill (House File 2525) was passed, and subsequently signed into law, that changed the definition of bicycle and motorized bicycle (moped), and requires a vehicle to have a manufacturer's label attached to the vehicle, certifying that the vehicle meets all the federal safety standards, if the vehicle is to be titled and registered for use on a street or roadway.

BICYCLE

The new definition of bicycle found in Iowa Code section 321.1(40)c states:

"Bicycle" means either of the following: (1) A device having two wheels and having at least one saddle or seat for the use of a rider, which is propelled by human power. (2) A device having two or three wheels **with fully operable pedals** and an **electric motor of less than 750 watts (one horsepower)**, whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than 20 miles per hour.

MOTORIZED BICYCLE

The **new** definition of motorized bicycle (moped) found in 321.1(40)b of the Iowa Code reads:

"Motorized bicycle" means a motor vehicle having a saddle or a seat for the use of a rider, designed to travel on not more than three wheels in contact with the ground, and not capable of operating at a speed in excess of 30 miles per hour on level ground unassisted by human power.

This new definition has eliminated the reference to "an engine having a displacement of no greater than 50 cubic centimeters." This change allows for electric motors or engines to serve as a source of propulsion.

The key to whether a vehicle is a motorized bicycle or motorcycle is its maximum operating speed, as certified by the original manufacturer. The speed of a motorized bicycle cannot exceed 30 miles per hour on level ground unassisted by human power. The top speed of 30 mph must be printed on the manufacturer's certificate of origin.

Iowa Code section 321.382 states that a motor vehicle must be able to proceed at a minimum speed of 20 mph up a 3 percent grade to be operated on Iowa's streets and roadways. If operated at speeds over 30 miles per hour, the vehicle is defined as a motorcycle.

Please keep in mind that the generic term "scooter" may be applicable to a moped or motorcycle, depending on its federal certification and top operating speed.

MANUFACTURER'S CERTIFICATION LABEL

The National Highway Traffic Safety Administration has established safety standards by which all vehicles used on a highway must be constructed. The Federal Code of Regulations Title 49, Part 567, requires the manufacturer to place a label on the vehicle indicating compliance with these safety regulations.

The **new** language found in Iowa Code section 321.30(15) reads:

"Unless otherwise provided for in this chapter, the department or the county treasurer shall refuse registration and issuance of a certificate of title unless the vehicle bears a manufacturer's label pursuant to 49 C.F.R. pt. 567 certifying that the vehicle meets federal motor vehicle safety standards."

If the motor vehicle does not display a manufacturer's certification label in compliance with 49 CFR 567, it will not be titled and registered.

Sample of a Motorcycle Manufacturer's Label

MANUFACTURED BY: JOE'S MOTORCYCLES
July 1997
GVWR 271 KG (598 LB)
GAWR FRONT 110 KG (243 LB) WITH M 120/70R18 TIRE, 18XMT3.00 RIM. AT 250KPA(36 PSI) COLD
GAWR REAR 161 KG (355 LB) WITH M160/60R17 TIRE, 17XMT4.00 RIM. AT 250KPA(36 PSI) COLD
THIS VEHICLE CONFORMS TO ALL APPLICABLE U.S. FEDERAL MOTOR VEHICLE SAFETY
STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE
VIN: WMIXXXXXXXXXXXXXX TYPE: MOTORCYCLE

If the vehicle is used, the owner must provide the county treasurer with a valid title issued in Iowa or another state that is in the owner's name or has been properly assigned to the owner. If the vehicle is new, the owner must provide a properly assigned, valid Manufacturer's Certificate of Origin (MCO). MCOs must be printed on secure paper, similar to conventional title paper, to be valid.

If the vehicle is a moped, the MCO must state that the vehicle's maximum operating speed is under 30 mph. Appropriate tax, title and license fees must be submitted to the appropriate Iowa county treasurer, along with the requisite title application and ownership document (title or MCO).

Operating Motorized Bicycles (mopeds)

A motorized bicycle (moped) may be operated by any person who has been issued an adult operator's license, chauffeur license, commercial driver's license or an intermediate license. No additional qualifications are required.

- Adults (age 18 and older) who do not have a driver's license must be issued a moped permit. The standard operator's knowledge examination and a vision screening are required. Skills testing may be required at the discretion of the driver's licensing examiner.
- Persons age 16 through 17 who do not have at least an intermediate license must be issued a moped permit, under the same conditions as listed in the previous paragraph.
- Persons age 14 through 15 must be issued a moped permit, but must first complete a moped rider education course approved by the Iowa Department of Transportation. The standard operator's knowledge examination and a vision screening are required. Skills testing may be required at the discretion of the DOT examiner.

Passengers are not allowed on a moped.

A moped must be equipped with a safety flag that extends not less than 5 feet above the ground attached to the rear of the moped. The safety flag must be triangular in shape, with an area of not less than 30 square inches, and be Day-Glo in color.

Mopeds must not be operated more than two abreast in a single traffic lane.

A moped must not be operated between lanes of traffic, adjacent lines or rows of vehicles.

A moped must have a lighted headlamp at all times when operated on a public street or roadway.

The operator of a moped must not carry a package, bundle or other article that prevents the operator from keeping both hands on the handlebars.

Iowa does not require the wearing of a helmet by the rider of a moped or motorcycle.