

1 **CITY OF SANTA FE, NEW MEXICO**

2 **BILL NO. 2015-44**

3 **INTRODUCED BY:**

4
5 Councilor Bill Dimas

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10 **AN ORDINANCE**

11 **RELATING TO THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE;**
12 **CREATING SECTION 12-1-5.1 TO ESTABLISH A DEFINITION FOR “AUTOCYCLE”;**
13 **AMENDING SECTION 12-1-37 TO INCLUDE “AUTOCYCLES” IN THE DEFINITION OF**
14 **“MOTORCYCLES”; AMENDING SECTION 12-7-6 TO EXEMPT AUTOCYCLES FROM**
15 **THE HELMET PROVISIONS; AND CREATING A NEW SECTION 12-7-8.1 TO**
16 **ESTABLISH THAT A MOTORCYCLE ENDORSEMENT IS NOT REQUIRED FOR**
17 **AUTOCYCLE OPERATION.**

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19 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

20 Section 1. A new Section 12-1-5.1 of the City of Santa Fe Uniform Traffic
21 **Ordinance is ordained to read:**

22 **12-1-5.1 [NEW MATERIAL] AUTOCYCLE.** “Autocycle” means a three-wheeled motorcycle on
23 which the driver and all passengers ride in a completely enclosed, tandem seating area, that is
24 equipped with:

25 (1) federal motor vehicle safety standard glazing;

- (2) a roll cage;
- (3) safety belts for all occupants;
- (4) airbag protection;
- (5) antilock brakes;
- (6) a steering wheel; and
- (7) pedals. (66-1-4.1 NMSA 1978)

Section 2. Section 12-1-37 of the City of Santa Fe Uniform Traffic Ordinance (being Ord. #2006-34) is amended to read:

12-1-37 MOTORCYCLES. Motorcycle means every motor vehicle having a seat or saddle for the use of the rider and designated to travel on not more than three wheels in contact with the ground, including autocycles and excluding a tractor. (66-1-4.11 NMSA 1978)

Section 3. Section 12-7-6 of the City of Santa Fe Uniform Traffic Ordinance (being Ord. #2006-34) is amended to read:

12.7-6 MANDATORY USE OF PROTECTIVE HELMET.

A. No person under the age of eighteen shall operate a motorcycle unless he is wearing a safety helmet securely fastened on his head in a normal manner as headgear and meeting the standards authorized by 66-7-356 NMSA 1978. No dealer or person who leases or rents motorcycles shall lease or rent a motorcycle to a person under the age of eighteen unless the lessee or renter shows such person a valid operator's license or permit and possesses the safety equipment required of an operator who is under the age of eighteen. No person shall carry any passenger under the age of eighteen on any motorcycle unless the passenger is wearing a securely fastened safety helmet, as specified in this section, meeting the standards specified by the ~~[director]~~ secretary.

B. Failure to wear a safety helmet as required in this section shall not constitute contributory negligence.


C. Autocycles are exempted from the helmet provisions of this section.

1 (66-7-356 NMSA 1978)

2 Section 4. A new Section 12-7-8.1 of the City of Santa Fe Uniform Traffic
3 Ordinance is ordained to read:

4 12-7-8.1 [NEW MATERIAL] MOTORCYCLE ENDORSEMENT NOT REQUIRED FOR
5 AUTOCYCLE OPERATION. Autocycles shall be registered as motorcycles and proof of financial
6 responsibility may characterize them as motorcycles, but a driver shall not be required to have a
7 motorcycle endorsement to operate an autocycle. (66-3-1.4 NMSA 1978)

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9 APPROVED AS TO FORM:

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12 KELLEY A. BRENNAN, CITY ATTORNEY