

## What makes a Scooter/MOPED a Motorcycle?

The St. Joseph Police Department would like to remind citizens it is illegal to operate motorized bicycles on public streets and highways unless the operator has a driver's license. This applies to the newly popular mini-motorcycles also. A motorized bicycle is defined as any two-wheeled or three-wheeled device having an automatic transmission and a motor with cylinder capacity of not more than 50 cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than 30 mph on level ground; it must meet VESC-17. VESC-17 requires pedals to propel the bike. City Ordinance states that motorized bicycles, commonly referred to as scooters, can be operated on public streets only if the driver holds a valid license. If your child can't legally drive a car, he can't

drive a motorized bicycle on the road.

The motorized scooter is being marketed as a toy, and sold to the youth of our communities. Anytime one of these devices is operated on a Missouri roadway (city street, county road, or state highway), they must abide by the same laws governing a motor vehicle (i.e.: stopping at posted STOP signs, driving on the right-side of the roadway, yielding to approaching traffic when turning left, and not exceeding the posted speed limit). This makes the case that the motorized scooter and mini-motorcycle truly are not toys.

When preparing to buy a motorized bicycle/ Scooter ask the dealer and yourself these questions:

**Does the scooter have less than a 50cc motor?**

**Does the scooter create less than 3 gross brake horsepower?**

**Is the scooter capable of traveling over 30 mph on level ground?**

**Does the scooter comply with VESC-17, dated July 1977?**

The main question that is often missed out of the above questions, is the speed the scooter will go. If it is capable of traveling over 30 mph on level ground, then it is a **MOTORCYCLE**, and must follow all ordinances as such. Even if it is only 49cc, but travels over 30 mph, it is still a **MOTORCYCLE**.

When in doubt, if it is a Scooter or a Motorcycle, you should always refer to the manufacturer's website or contact your local police department to get the correct clarification on whether it is a Scooter or Motorcycle. Within the city limits of St. Joseph, scooters are governed by ordinance 28-943, which will put you in compliance with the ordinance.

## Motorized Bicycle or Motorcycle how do I tell the difference?

Check the VIN (Vehicle Identification Number) plate. Usually found on the kick panel or the lower portion of the frame depending on the make of your unit. If you see MOTORCYCLE anywhere on the VIN plate, which is clear evidence that you more than likely have a motorcycle and not a motorized bicycle. At this point the unit needs to be licensed, insured, the rider must have a Motorcycle endorsement and a DOT approved Helmet.



Note the word MOTORCYCLE on the lower right hand corner of the VIN plate.

### Do I have to have a license to ride a scooter?

Yes, in order to operate a scooter (a motorized bicycle) you must have a valid

driver's license. A driver's permit does not allow you to operate a scooter.



This unit appears to be a motorized bicycle however this particular model is actually a motorcycle.

### Is the vehicle capable of traveling over 30 miles per hour on flat ground?

Assuming it fits the definition of a motorized bicycle listed on the reverse side. If the answer is yes then you have a motorcycle, thus requiring you to have a valid driver's license with a motorcycle endorsement, vehicle license, helmet and insurance.

### Have any modifications been made to the motorized bicycle that allows it to achieve speeds greater than 30 miles per hour on flat level ground?

If the answer is yes then the motorized bicycle is now by definition a motorcycle.

**“The guy who sold it to me told me it was a scooter and I didn't need a license”**

Ultimately it is your responsibility to check your state and local laws regarding motorized bicycles and motorcycles.



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