

From: Gary Starr [mailto:gstarr@zapworld.com]
Sent: Thursday, August 14, 2008 7:20 PM
To: sos.office@maine.gov
Cc: Tom Joyal
Subject: urgent action needed

August 14, 2008

Secretary of State
Matthew Dunlap
148 State House Station
Augusta, Maine 04333

Dear Secretary Dunlap:

Today I watched a News Show where you said your current laws insist that the Xebra, a three wheel electric motorcycle, cannot have a steering wheel because its "unsafe".

However, it appears that Maine law is clear:

§102

Title 29-A: MOTOR VEHICLES HEADING: PL 1993, c. 683, Pt. A, §2 (new); Pt. B, §5 (aff) Chapter 1: GENERAL PROVISIONS HEADING: PL 1993, c. 683, Pt. A, §2 (new); Pt. B, §5 (aff) §101. Definitions 38. Motorcycle.

"Motorcycle" means a motor vehicle that has a seat or a saddle for the use of the rider and is designed to travel with only 2 or 3 10-inch or larger diameter wheels in ground contact and has a motor with a cylinder capacity of more than 50 cubic centimeters or an electric motor with a capacity of not less than 1,500 watts.

[2005, c. 577, §2 (RPR) .]

52. Parking control vehicle. "Parking control vehicle" means a 3-wheel vehicle of 25 horsepower or less that has a metal roof and is operated by a law enforcement officer or a parking control officer to control parking and traffic. There is nothing in the law that says you cannot have a steering wheel, indeed, Maine law allows 3 wheel gas vehicles for Police law enforcement with steering wheels (are they unsafe?), and has an inspection criteria that clearly says:

An autocycle shall meet the provisions of a motorcycle as well as the following criteria?

(1) An autocycle must be equipped with safety belts for all passengers, a roll bar, a windshield equipped with a wiper, and a steering wheel or tiller.

Unless we have a prompt retraction of the letter sent to one of our customers, we will be directing our legal counsel to take all and every necessary action needed.

Sincerely,

Gary Starr,
Director