

**RULES
OF
TENNESSEE DEPARTMENT OF SAFETY
DRIVER CONTROL DIVISION**

**CHAPTER 1340-1-12
ISSUANCE OF MOTORCYCLE LICENSE AND MOTORCYCLE LEARNER'S PERMIT
(CLASS M), (CLASS P.M.)**

TABLE OF CONTENTS

1340-1-12-.01	Purpose	1340-1-12-.05	Issuance of Motorized Bicycle & Motor Driven
1340-1-12-.02	Definitions		Cycle License
1340-1-12-.03	Issuance of Motorcycle License. (Class M.)	1340-1-12-.06	Crash Helmet
1340-1-12-.04	Issuance of Motorcycle Learner's Permit (Class P.M.)		

1340-1-12-.01 PURPOSE. To establish uniform standards and systems for the issuance of motorcycle driver licenses (Class M) and motorcycle learner's permit (Class P-M), as defined herein, under the provision of T.C.A. Title 55, Chapter 7.

Authority: T.C.A. §55-7-103. **Administrative History:** Original rule filed August 4, 1988; effective November 29, 1988.

1340-1-12-.02 DEFINITIONS.

- (1) Commissioner. The commissioner of the Tennessee Department of Safety.
- (2) Director. The Director of the Driver Control Division.
- (3) Motorcycle. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor or motorized bicycle.
- (4) Motorcycle Bicycle. A vehicle with two (2) or three (3) wheels, and automatic transmission, and a motor with a cylinder capacity not exceeding fifty (50) cubic centimeters which produces no more than two (2) brake horsepower and is capable of propelling the vehicle at a maximum design speed of no more than thirty (30) miles per hour on level ground.
- (5) Motor Driven Cycle. Every motorcycle, including every motor scooter, with a motor that produces a maximum of five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one-hundred and twenty-five cubic centimeters (125cc).
- (6) Autocycle. Means an enclosed motorcycle that is equipped with safety belts, rollbar, windshield, wiper, steering wheel and equipment otherwise required on a motorcycle and which has not more than three (3) wheels in contact with the roadway at any one (1) time.
- (7) Driver. Every person who drives or is in actual physical control of a motor vehicle upon a highway.
- (8) Passenger. Any individual(s) who is carried, transported or otherwise moved on or in a vehicle that is not the driver.
- (9) Motorcycle Driver License. (Class M) The License issued to a person that is at least sixteen (16) years of age, to operate a motorcycle, after successfully completing the requirement set herein.

(Rule 1340-1-12-.02, continued)

- (10) Motorcycle Driver License Limited. (Class M-limited) The license issued to an individual for the operation of a motor driven cycle or moped, but does not include a motorcycle.
- (11) Motorcycle Learner's Permit. (Class P-M.) A special permit that is issued allowing minors fifteen (15) years of age to drive a motorcycle after meeting the standards and provision set herein.
- (12) Motor Driven Cycle License. (Restricted) This special class license issued to minors between the ages of fourteen (14) and sixteen (16), shall be restricted to the operation of a motor driven cycle, or a motorized bicycle as defined herein. The use of the license shall be valid for use in daylight hours only for travel to authorized locations as specified on an attachment and by any other restrictions deemed appropriate by the department and set forth in administrative rules and regulations.
- (13) Motorcycle Rider Education Program. The motorcycle training and information disbursement plan created in T.C.A. §55-25-102

Authority: T.C.A. §§55-1-103, 55-8-10, 55-7-101, and 55-25-102. **Administrative History:** Original rule filed August 4, 1988; effective November 29, 1988.

1340-1-12-.03 ISSUANCE OF MOTORCYCLE LICENSE. (CLASS M).

- (1) Any person who is at least sixteen (16) years of age and a legal resident of this may apply for a motorcycle license. (Class M)
- (2) This application must be made at a driver examination station that has been designated by the Commissioner or his designated representative as a motorcycle testing center.
- (3) Applicants who have successfully completed the written and visual phase of the examination will be permitted to take the ability skills test.
- (4) Applicants must bring a motorcycle that meet all state laws and standard to the testing center.
- (5) Applicants shall not be permitted to operated or drive the motorcycle to the testing center.
- (6) Applicants who successfully pass all phases of the examination will be issued a motorcycle license. (Class M)
- (7) Any applicants who fail any phase of the examination will not be issued a motorcycle license, (Class M) nor will they be permitted to operated the/a motorcycle until they have been issued a motorcycle license. (Class M)
- (8) Applicants who bring a certificate of completion from a state certified motorcycle rider education course shall be exempt from taking the ability skills test at the motorcycle driver examination testing center.
- (9) Applicants who are under the age of eighteen (18) must comply with T.C.A. §55-7-104(7a).

Authority: T.C.A. §55-7-103. **Administrative History:** Original rule filed August 4, 1988; effective November 29, 1988.

1340-1-12-.04 ISSUANCE OF MOTORCYCLE LEARNER'S PERMIT, CLASS P.M.

(Rule 1340-1-12-.04, continued)

- (1) Minors who are fifteen (15) years of age and a legal resident of this state, may apply for a motorcycle learner's permit (Class P-M)
- (2) This application must be made at a driver examination station that has been designated by the Commissioner or his representative as a motorcycle testing center.
- (3) Applicants who successfully complete the written and visual phase of the examination will be permitted to take the ability skills test.
- (4) Applicants must bring a motorcycle that meet all state laws and standards to the testing center.
- (5) Applicants shall not be permitted to operate or drive the motorcycle to the testing center.
- (6) Applicants who successfully complete all phases of the motorcycle licensing examination will be issued a motorcycle learner's permit. (Class P-M)
- (7) Any applicants who fail any phase of the examination will not be issued a motorcycle learner's permit, (Class P-M) nor will they be allowed to operate a motorcycle until they have successfully passed all phases of the examination.
- (8) Application who bring a certificate of completion from a state certified motorcycle rider education course, shall be exempt from taking the ability skills test.
- (9) Individual who are issued a motorcycle learner's permit (Class P-M) license shall be restricted to the following:
 - (a) Shall not carry a passenger(s)
 - (b) Shall be limited to daylight to daylight hours only.
 - (c) Shall be restricted from use of the Interstate systems
 - (d) Shall be limited to a twenty (20) mile radius of driver's home.
 - (e) Shall be limited to the operation of a motorcycle with a maximum engine size of six hundred-fifty cubic centimeters (650cc)
- (10) At the age of sixteen (16) (no later than ninety (90) days after their birthday) the holder of a motorcycle learner's permit (Class P-M) license must return to driver examination station and upgrade their motorcycle learner's permit (Class P-M) to a motorcycle license (Class M) to retain the privilege of operating a motorcycle.
- (11) Applicants must comply with T.C.A §55-7-104(7a)

Authority: T.C.A. §55-7-103. **Administrative History:** Original rule filed August 4, 1988; effective November 29, 1988.

13401-1-12-.05 ISSUANCE OF MOTOR DRIVEN CYCLE OR MOTORIZED BICYCLE LICENSE.

- (1) Applicants for motorized bicycle or motor driven cycle license must apply at a driver examination station that has been designated as a motorcycle testing center.

(Rule 1340-1-12-.05, continued)

- (2) Applicants who successfully complete the written and visual phase of the examination will be permitted to take the ability skills test.
- (3) Applicants must bring a motorized bicycle or a motorcycle driven cycle (whichever applies) that meet all state laws and standards to the testing center.
- (4) Applicants shall not be permitted to operated or drive the motorized bicycle or motor driven cycle to the testing center.
- (5) Applicants who successfully completes phases of the licensing examination will be issued a motorized bicycle or motor driven cycle license, whichever applies..
- (6) Applicants who fail any phases of the examination will not be issued a license, nor will they be allowed
- (7) Applicants who are minors must comply with T.C.A. §55-7-104(7a).
- (8) Motor driven cycle license issued to minors between the ages or fourteen (14) and sixteen (16) shall be valid only between the hours of 4:00am and 8:00pm within a seven mile radius of the driver's home.
- (9) Motorized bicycle license issued to persons between the ages of fourteen (14) and sixteen (16) shall be valid only during daylight hours and within a seven (7) mile radius of the driver's home.

Authority: T.C.A. §55-7-103. **Administrative History:** Original rule filed August 4, 1988; effective November 29, 1988.

1340-1-12-.06 CRASH HELMET STANDARDS.

- (1) It is hereby established that standards for crash helmet shall be the one set forth by the U.S. Department of Transportation and all helmets used must meet or exceed these standards.
- (2) Crash helmets must be worn during all on cycle testing and whenever the motorcycle, motor driven cycle, motorized bicycle is in motion.
- (3) Crash helmet must fit snugly and the chin strap must be properly fastened.

Authority: T.C.A. §55-9-302. **Administrative History:** Original rule filed August 4, 1988; effective November 29, 1988.