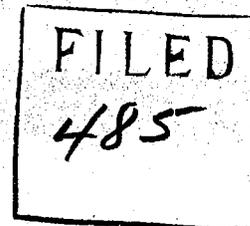


November 3, 1969

OPINION LETTER NO. 485  
(Answered by letter-Nowotny)

Honorable James L. Paul  
Prosecuting Attorney  
McDonald County Court House  
Pineville, Missouri 64586



Dear Mr. Paul:

This is in answer to your request for an opinion of this office, which request reads as follows:

"Would you please advise me whether or not the 'minibikes' come under the purview of motor vehicles, which require licensing the same as other vehicles described in that section pertaining to licensing of vehicles."

Section 301.020, RSMo 1959, requires every owner of a motor vehicle which shall be operated or driven upon the highways of Missouri to register or license such motor vehicle with the Director of Revenue of Missouri.

Motor vehicle is defined in Section 301.010(15), RSMo 1959, as follows:

"'Motor vehicle', any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;"

Section 301.010(13) defines motorcycle as follows:

"'Motorcycle', a motor vehicle operated on two wheels;"

Our understanding of a "minibike" is that it is a miniaturized

Honorable James L. Paul

motorcycle, with limited horsepower, that is designed and advertised for trail or back-country riding, but that can also be used around town and certainly can be operated on the streets and highways of Missouri.

Enclosed is a copy of Attorney General Opinion No. 38, 1962, Bryan, which held that a motor-power-assisted bicycle is a motor vehicle within the meaning of Section 301.010, RSMo 1959. The opinion and the discussion and citations cited therein apply here.

Accordingly, it is our opinion that a "minibike" is a motor vehicle within the meaning of Section 301.010, RSMo 1959. Therefore, when a "minibike" is operated or driven on the highways of Missouri a license is required pursuant to Section 301.020, RSMo 1959.

Very truly yours,

JOHN C. DANFORTH  
Attorney General

encls:

OP.38-62-Bryan