

HOUSE BILL No. 4823

May 24, 2001, Introduced by Reps. DeRossett, Meyer, Rich Brown, Rocca, Ehardt, Stewart, Anderson, Daniels, Drolet, Gosselin, Vear, Bovin and DeVuyst and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 658 (MCL 257.658), as amended by 1984
PA 328.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 658. (1) A person propelling a bicycle or operating a
2 motorcycle or moped shall not ride other than upon and astride a
3 permanent and regular seat attached to that vehicle.

4 (2) A bicycle or motorcycle shall not be used to carry more
5 persons at 1 time than the number for which it is designed and
6 equipped.

7 (3) A moped shall not be used to carry more than 1 person at
8 a time.

9 (4) ~~—A—~~ EXCEPT AS PROVIDED IN SUBSECTION (5), A person
10 operating or riding on a motorcycle, and any person less than 19

1 years of age operating a moped on a public thoroughfare shall
2 wear a crash helmet on his or her head. Crash helmets shall be
3 approved by the department of state police. The department of
4 state police shall promulgate rules for the implementation of
5 this section pursuant to the administrative procedures act of
6 1969, ~~Act No. 306 of the Public Acts of 1969, being sections~~
7 ~~24.201 to 24.315 of the Michigan Compiled Laws~~ 1969 PA 306,
8 MCL 24.201 TO 24.328. Rules in effect on June 1, 1970, shall
9 apply to helmets required by this act. ~~This subsection does not~~
10 ~~apply to a person operating or riding in an autocycle if the~~
11 ~~vehicle is equipped with a roof which meets or exceeds standards~~
12 ~~for a crash helmet.~~

13 (5) SUBSECTION (4) DOES NOT APPLY TO ANY OF THE FOLLOWING:

14 (A) A PERSON 21 YEARS OF AGE OR OLDER WHO HAS BEEN LICENSED
15 UNDER THIS ACT TO OPERATE A MOTORCYCLE FOR NOT LESS THAN 2 YEARS
16 OR WHO HAS SUCCESSFULLY COMPLETED A MOTORCYCLE SAFETY COURSE AS
17 PROVIDED IN SECTION 811A OR 811B.

18 (B) THE PASSENGER OF A PERSON DESCRIBED IN SUBDIVISION (A)
19 IF THE PASSENGER IS 21 YEARS OF AGE OR OLDER.

20 (C) A PERSON OPERATING OR RIDING IN AN AUTOCYCLE IF THE
21 VEHICLE IS EQUIPPED WITH A ROOF THAT MEETS OR EXCEEDS STANDARDS
22 FOR A CRASH HELMET.

23 (6) ~~-(5)-~~ A person operating or riding in an autocycle shall
24 wear seat belts when on a public highway in this state.