

Legislative Analysis



MOTORCYCLE HELMET LAW

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Senate Bill 297

Sponsor: Sen. Alan L. Cropsey

House Committee: Transportation

Senate Committee: Judiciary

Complete to 6-5-06

A SUMMARY OF SENATE BILL 297 AS PASSED BY THE SENATE 3-17-05

The bill would amend the Michigan Vehicle Code to provide exceptions to the requirement that a motorcycle operator and passenger wear an approved crash helmet.

The law currently requires a person operating or riding on a motorcycle, and any person under 19 years old operating a moped on a public thoroughfare, to wear a crash helmet. Under Senate Bill 297, this requirement would not apply to either of the following:

****** An individual who 1) is at least 21 years old, 2) has been licensed to operate a motorcycle for at least two years or has successfully completed a motorcycle safety course, and 3) has in effect security in the amount of \$10,000 for the payment of first-party medical benefits payable if the individual is involved in a "motorcycle accident."

(A "motorcycle accident" is defined in the Insurance Code as a loss involving the ownership, operation, maintenance, or use of a motorcycle as a motorcycle, but not involving the ownership, operation, maintenance, or use of a motor vehicle as a motor vehicle. This would appear to mean that a motorcycle accident does not include an accident involving both a motorcycle and a car.)

****** A passenger on a motorcycle operated by a person described above, if the passenger is at least 21 years old.

Currently, the crash helmet requirement does not apply to a person operating or riding in an autocycle if the vehicle is equipped with a roof that meets or exceeds standards for a crash helmet. The bill would retain this exception. An "autocycle" is an enclosed motorcycle that is equipped with safety belts, rollbar, windshield, wipers, steering wheel, and equipment otherwise required on a motorcycle, and that has no more than three wheels in contact with the roadway at any one time. Operators and passengers in autocycles must wear seatbelts.

[The vehicle code requires an individual under 18 years of age to pass an examination and a motorcycle safety course before being issued an original motorcycle endorsement on a driver's license. Individuals 18 years old or older must only pass an examination; however, an individual who fails the examination two or more times must successfully complete a motorcycle safety course. A motorcycle safety course may be conducted by a

college or university, an intermediate school district, a local school district, a law enforcement agency, any other governmental agency located in Michigan, or a private business.]

MCL 257.658

FISCAL IMPACT:

If injuries increase, state and local government could experience increased operational costs from increases in insurance premiums. The state could also experience additional costs to the Medicaid program.

Legislative Analyst: Chris Couch

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