

**SUBSTITUTE FOR
SENATE BILL NO. 297**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

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 or an electric personal assistive mobility device
8 shall not be used to carry more than 1 person at a time.

9 (4) A person operating or riding on a motorcycle, and any
10 person less than 19 years of age operating a moped on a public

Senate Bill No. 297 as amended March 17, 2005

thoroughfare shall wear a crash helmet on his or her head. Crash helmets shall be approved by the department of state police. The department of state police shall promulgate rules for the implementation of this section pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. Rules in effect on June 1, 1970 ~~, shall~~ apply to helmets required by this act. ~~This subsection does not apply to a person operating or riding in an autocycle if the vehicle is equipped with a roof which meets or exceeds standards for a crash helmet.~~

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

(A) A PERSON WHO MEETS ALL OF THE FOLLOWING CONDITIONS:

(i) THE PERSON IS 21 YEARS OF AGE OR OLDER.

(ii) THE PERSON HAS BEEN LICENSED UNDER THIS ACT TO OPERATE A MOTORCYCLE FOR NOT LESS THAN 2 YEARS OR HAS SUCCESSFULLY COMPLETED A MOTORCYCLE SAFETY COURSE AS PROVIDED IN SECTION 811A OR 811B.

<<(iii) THE PERSON HAS IN EFFECT SECURITY IN THE AMOUNT OF \$10,000.00 FOR THE PAYMENT OF FIRST-PARTY MEDICAL BENEFITS PAYABLE IN THE EVENT THAT HE OR SHE IS INVOLVED IN A MOTORCYCLE ACCIDENT, AS PROVIDED IN SECTION 3103 OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.3103.>>

(B) THE PASSENGER ON A MOTORCYCLE OPERATED BY A PERSON DESCRIBED IN SUBDIVISION (A) IF THE PASSENGER IS 21 YEARS OF AGE OR OLDER.

(C) 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.

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