

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

**Introduced by Senators Cropsey, Jelinek, Patterson, Bishop, Barcia, Schauer, Prusi, Leland, Thomas,
Clarke, Stamas, McManus and Emerson**

ENROLLED SENATE BILL No. 297

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

The People of the State of Michigan enact:

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

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

(3) A moped or an electric personal assistive mobility device shall not be used to carry more than 1 person at a time.

(4) A person operating or riding on a motorcycle, and any person less than 19 years of age operating a moped on a public 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 apply to helmets required by this act.

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

Carol Morey Viventi

Secretary of the Senate

Gay E. Randall

Clerk of the House of Representatives

Approved

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Governor