

HOUSE BILL No. 4505

March 16, 2005, Introduced by Reps. Casperson, Drolet, Nitz, Mortimer, Acciavatti, Emmons, Pastor, Stahl, Meyer, Huizenga, Hummel, Gosselin, LaJoy, Hune, Gleason, Shaffer, Garfield, Palmer, Hoogendyk, Brown, Plakas, Spade, Sheltroun, Kehrl, Espinoza, Brandenburg, Stakoe, Wojno, Farrah, Leland, Hildenbrand, Amos, Adamini, Anderson, Donigan, Gillard, Stewart, DeRoche, Caswell, Accavitti, Ward, Kathleen Law, Baxter and Moore 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 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.

1 (4) ~~—A—~~ **EXCEPT AS PROVIDED IN SUBSECTION (5),** A person
2 operating or riding on a motorcycle, and any person less than 19
3 years of age operating a moped on a public thoroughfare shall wear
4 a crash helmet on his or her head. Crash helmets shall be approved
5 by the department of state police. The department of state police
6 shall promulgate rules for the implementation of this section
7 pursuant to the administrative procedures act of 1969, 1969 PA 306,
8 MCL 24.201 to 24.328. Rules in effect on June 1, 1970, ~~shall~~ apply
9 to helmets required by this act. ~~This subsection does not apply to~~
10 ~~a person operating or riding in an autocycle if the vehicle is~~
11 ~~equipped with a roof which meets or exceeds standards for a crash~~
12 ~~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 OR**
16 **WHO HAS SUCCESSFULLY COMPLETED A MOTORCYCLE SAFETY COURSE AS**
17 **PROVIDED IN SECTION 811A OR 811B.**

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

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

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