

SENATE BILL No. 297

March 10, 2005, Introduced by Senators CROPSEY, JELINEK, PATTERSON, BISHOP, BARCIA, SCHAUER, PRUSI, LELAND, THOMAS, CLARKE, STAMAS, McMANUS and EMERSON and referred to the Committee on Judiciary.

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

1 person less than 19 years of age operating a moped on a public
2 thoroughfare shall wear a crash helmet on his or her head. Crash
3 helmets shall be approved by the department of state police. The
4 department of state police shall promulgate rules for the
5 implementation of this section pursuant to the administrative
6 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. Rules in
7 effect on June 1, 1970, ~~shall~~ apply to helmets required by this
8 act. ~~This subsection does not apply to a person operating or~~
9 ~~riding in an autocycle if the vehicle is equipped with a roof which~~
10 ~~meets or exceeds standards for a crash helmet.~~

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

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

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

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

22 (6) ~~—(5)—~~ A person operating or riding in an autocycle shall
23 wear seat belts when on a public highway in this state.