

## **MOTORCYCLES: REQUIRE PERMIT TO RIDE WITHOUT HELMET**

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**House Bill 4749**

**Sponsor: Rep. Barbara Farrah**

**Committee: Regulatory Reform**

**Complete to 5-29-07**

### **A SUMMARY OF HOUSE BILL 4749 AS INTRODUCED 5-15-07**

The Michigan Vehicle Code requires motorcycle operators and riders to wear a crash helmet. The bill would lift this requirement for a motorcycle operator or passenger 21 years of age or older who carries a valid permit from the secretary of state allowing him or her to operate or be a passenger on a motorcycle without a crash helmet. A permit would carry a fee of \$100 for one year or \$200 for three years. A passenger could only ride without a helmet if the motorcycle operator also had a permit to ride without a helmet.

To obtain a permit, a motorcycle operator would have to be 21 years of age or older; have been licensed to operate a motorcycle for at least two years; have successfully completed a motorcycle safety course; and have in effect security of at least \$20,000 for the payment of first-party medical benefits in the event of a motorcycle accident. A passenger would also need to be 21 years of age or older and pay the required permit fee.

Upon request, the secretary of state could issue a sticker to the registered owner of a motorcycle operator who obtains a permit, with the sticker to be applied to the motorcycle registration plate.

A person operating or riding a motorcycle without a helmet who fails to produce a valid permit at the request of a peace officer would be guilty of a misdemeanor punishable by imprisonment for up to 90 days and/or a fine of up to \$300.

The permit provisions added by the bill would be repealed effective January 1, 2013.

The bill also would specify penalties for motorcycle violations. Operating or riding without a helmet would be a misdemeanor punishable by imprisonment for up to 90 days and/or a fine of up to \$300. Until January 1, 2013, the failure to obtain a motorcycle endorsement on a driver license would be a misdemeanor punishable by imprisonment for up to 180 days and/or a fine of \$200. As of that date, the penalty would be imprisonment for up to 90 days and/or a fine of up to \$100.

**MCL 257.312a & 257.658**

**FISCAL IMPACT:**

Assuming that 200,000 riders purchase permits (and of these, 75% purchase three-year permits at \$200 each), the bill would generate about \$15 million in revenue, plus any additional revenue from the \$500 citation fee for not wearing a helmet.

Because it's anticipated that a relatively small number of riders would purchase one-year permits at \$100, permit revenue in each of the next two years would be much smaller.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.