

# SENATE BILL NO. 1227

November 18, 2020, Introduced by Senators IRWIN, MCMORROW, ALEXANDER and BULLOCK and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2b, 33, 35a, 36, 216, 217b, 660, 679a, and 706 (MCL 257.2b, 257.33, 257.35a, 257.36, 257.216, 257.217b, 257.660, 257.679a, and 257.706), section 2b as amended by 2016 PA 332, section 33 as amended by 2018 PA 391, sections 35a and 36 as amended by 2013 PA 231, section 216 as amended by 2020 PA 127, section 217b as amended by 2000 PA 82, and section 660 as amended by 2018 PA 394, and by adding sections 655c and 801m.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2b. (1) **"Automated delivery device"** means a device no  
2 more than 40 inches wide, equipped with an automated driving  
3 system, and used to transport goods or perform services on a  
4 sidewalk or other areas open to pedestrian traffic or on a highway  
5 or street, but not to transport a human operator or passenger.

6       (2) ~~(1)~~—"Automated driving system" means hardware and software  
7 that are collectively capable of performing all aspects of the  
8 dynamic driving task for a vehicle **or automated delivery device** on  
9 a part-time or full-time basis without any supervision by a human  
10 operator. As used in this subsection, "dynamic driving task" means  
11 all of the following, but does not include strategic aspects of a  
12 driving task, including, but not limited to, determining  
13 destinations or waypoints:

14       (a) Operational aspects, including, but not limited to,  
15 steering, braking, accelerating, and monitoring the vehicle and the  
16 roadway.

17       (b) Tactical aspects, including, but not limited to,  
18 responding to events, determining when to change lanes, turning,  
19 using signals, and other related actions.

20       (3) ~~(2)~~—"Automated motor vehicle" means a motor vehicle on  
21 which an automated driving system has been installed, either by a  
22 manufacturer of automated driving systems or an upfitter that  
23 enables the motor vehicle to be operated without any control or  
24 monitoring by a human operator. Automated motor vehicle does not  
25 include a motor vehicle enabled with 1 or more active safety  
26 systems or operator assistance systems, including, but not limited  
27 to, a system to provide electronic blind spot assistance, crash  
28 avoidance, emergency braking, parking assistance, adaptive cruise  
29 control, lane-keeping assistance, lane departure warning, or

1 traffic jam and queuing assistance, unless 1 or more of these  
 2 technologies alone or in combination with other systems enable the  
 3 vehicle on which any active safety systems or operator assistance  
 4 systems are installed to operate without any control or monitoring  
 5 by an operator.

6 (4) ~~(3)~~—"Automated technology" means technology installed on a  
 7 motor vehicle **or automated delivery device** that has the capability  
 8 to assist, make decisions for, or replace a human operator.

9 (5) ~~(4)~~—"Automatic crash notification technology" means a  
 10 vehicle service that integrates wireless communications and vehicle  
 11 location technology to determine the need for or to facilitate  
 12 emergency medical response in the event of a vehicle crash.

13 (6) ~~(5)~~—"Manufacturer of automated driving systems" means a  
 14 manufacturer or subcomponent system producer recognized by the  
 15 secretary of state that develops or produces automated driving  
 16 systems, ~~or~~ automated vehicles, **or automated delivery devices**.

17 (7) ~~(6)~~—"Mobility research center" means a nonprofit entity  
 18 that has the ability to receive and accept from any federal, state,  
 19 or municipal agency, foundation, public or private agency, entity,  
 20 or individual a grant, contribution, or loan for or in aid of the  
 21 planning, construction, operation, upgrade, or financing of a  
 22 facility for testing advanced transportation systems, including,  
 23 but not limited to, connected or automated technology or automated  
 24 motor vehicles to increase mobility options.

25 (8) ~~(7)~~—"Motor vehicle manufacturer" means a person that has  
 26 manufactured and distributed motor vehicles in the United States  
 27 that are certified to comply with all applicable federal motor  
 28 vehicle safety standards and that has submitted appropriate  
 29 manufacturer identification information to the National Highway

1 Traffic Safety Administration as provided in 49 CFR part 566. As  
2 used in this section, section 665a, and section 665b only, motor  
3 vehicle manufacturer also includes a person that satisfies all of  
4 the following:

5 (a) The person has manufactured automated motor vehicles in  
6 the United States that are certified to comply with all applicable  
7 federal motor vehicle safety standards.

8 (b) The person has operated automated motor vehicles using a  
9 test driver and with an automated driving system engaged on public  
10 roads in the United States for at least 1,000,000 miles.

11 (c) The person has obtained an instrument of insurance, surety  
12 bond, or proof of self-insurance in the amount of at least  
13 \$10,000,000.00, and has provided evidence of that insurance, surety  
14 bond, or self-insurance to the department in a form and manner  
15 required by the department.

16 (9) ~~(8)~~—"On-demand automated motor vehicle network" means a  
17 digital network or software application used to connect passengers  
18 to automated motor vehicles, not including commercial motor  
19 vehicles, in participating fleets for transportation between points  
20 chosen by passengers, for transportation between locations chosen  
21 by the passenger when the automated motor vehicle is operated by  
22 the automated driving system.

23 (10) ~~(9)~~—"Participating fleet" means any of the following:

24 (a) Vehicles that are equipped with automated driving systems  
25 that are operating on the public roads and highways of this state  
26 in a SAVE project as provided in section 665b.

27 (b) Vehicles that are supplied or controlled by a motor  
28 vehicle manufacturer, and that are equipped with automated driving  
29 systems that are operating on the public roads and highways of this

1 state in an on-demand automated motor vehicle network.

2 (11) ~~(10)~~ "SAVE project" means an initiative that authorizes  
3 eligible motor vehicle manufacturers to make available to the  
4 public on-demand automated motor vehicle networks as provided in  
5 section 665b.

6 (12) ~~(11)~~ "Upfitter" means a person that modifies a motor  
7 vehicle after it was manufactured by installing an automated  
8 driving system in that motor vehicle to convert it to an automated  
9 motor vehicle. Upfitter includes a subcomponent system producer  
10 recognized by the secretary of state that develops or produces  
11 automated driving systems.

12 Sec. 33. "Motor vehicle" means every vehicle that is self-  
13 propelled, but for purposes of chapter 4, ~~IV~~, motor vehicle does  
14 not include industrial equipment such as a forklift, a front-end  
15 loader, or other construction equipment that is not subject to  
16 registration under this act. Motor vehicle does not include a  
17 power-driven mobility device when that power-driven mobility device  
18 is being used by an individual with a mobility disability. Motor  
19 vehicle does not include an electric patrol vehicle being operated  
20 in compliance with the electric patrol vehicle act, 1997 PA 55, MCL  
21 257.1571 to 257.1577. Motor vehicle does not include an electric  
22 personal assistive mobility device. Motor vehicle does not include  
23 an electric carriage. Motor vehicle does not include a commercial  
24 quadricycle. Motor vehicle does not include an electric bicycle.  
25 Motor vehicle does not include an electric skateboard. **Motor**  
26 **vehicle does not include an automated delivery device.**

27 Sec. 35a. "Operate" or "operating" means 1 or more of the  
28 following:

29 (a) Being in actual physical control of a vehicle. This

1 subdivision applies regardless of whether or not the person is  
2 licensed under this act as an operator or chauffeur.

3 (b) Causing an automated motor vehicle to move under its own  
4 power in automatic mode upon a highway or street regardless of  
5 whether the person is physically present in that automated motor  
6 vehicle at that time. This subdivision applies regardless of  
7 whether the person is licensed under this act as an operator or  
8 chauffeur. As used in this subdivision, "causing an automated motor  
9 vehicle to move under its own power in automatic mode" includes  
10 engaging the automated technology of that automated motor vehicle  
11 for that purpose.

12 (c) **Causing an automated delivery device to move under its own**  
13 **power under the control of a remote operator or the automated**  
14 **driving system upon a sidewalk, other place open to pedestrian**  
15 **traffic, or a highway or street.**

16 Sec. 36. "Operator" means a person, other than a chauffeur,  
17 who does either of the following:

18 (a) Operates a motor vehicle upon a highway or street.

19 (b) Operates an automated motor vehicle upon a highway or  
20 street.

21 (c) **Operates an automated delivery device upon a sidewalk,**  
22 **other place open to pedestrian traffic, or a highway or street.**

23 Sec. 216. (1) Every motor vehicle, recreational vehicle,  
24 trailer, semitrailer, ~~and~~ pole trailer, **and automated delivery**  
25 **device**, when driven or moved on a street or highway, is subject to  
26 the registration and certificate of title provisions of this act  
27 except the following:

28 (a) A vehicle driven or moved on a street or highway in  
29 conformance with the provisions of this act relating to

1 manufacturers, transporters, dealers, or nonresidents.

2 (b) A vehicle that is driven or moved on a street or highway  
3 only for the purpose of crossing that street or highway from 1  
4 property to another.

5 (c) An implement of husbandry.

6 (d) Special mobile equipment. The secretary of state may issue  
7 a special registration to an individual, partnership, corporation,  
8 or association not licensed as a dealer that pays the required fee,  
9 to identify special mobile equipment that is driven or moved on a  
10 street or highway.

11 (e) A vehicle that is propelled exclusively by electric power  
12 obtained from overhead trolley wires though not operated on rails.

13 (f) Any vehicle subject to registration, but owned by the  
14 government of the United States.

15 (g) A certificate of title is not required for a trailer,  
16 semitrailer, or pole trailer that weighs less than 2,500 pounds.

17 (h) A vehicle driven or moved on a street or highway, by the  
18 most direct route, only for the purpose of securing a scale weight  
19 receipt from a weighmaster for purposes of section 801 or obtaining  
20 a vehicle inspection by a law enforcement agency before titling or  
21 registration of that vehicle.

22 (i) A certificate of title is not required for a vehicle owned  
23 by a manufacturer or dealer and held for sale or lease, even though  
24 incidentally moved on a street or highway or used for purposes of  
25 testing or demonstration.

26 (j) A bus or a school bus that is not self-propelled and is  
27 used exclusively as a construction shanty.

28 (k) A certificate of title is not required for a moped **or**  
29 **automated delivery device.**

1           (l) For 3 days immediately following the date of a properly  
2 assigned title or signed lease agreement from any person other than  
3 a dealer, a registration is not required for a vehicle driven or  
4 moved on a street or highway for the sole purpose of transporting  
5 the vehicle by the most direct route from the place of purchase or  
6 lease to a place of storage if the driver has in his or her  
7 possession the assigned title showing the date of sale or a lease  
8 agreement showing the date of the lease.

9           (m) A certificate of registration is not required for a pickup  
10 camper, but a certificate of title is required.

11           (n) A new motor vehicle driven or moved on a street or highway  
12 only for the purpose of moving the vehicle from an accident site to  
13 a storage location if the vehicle was being transported on a  
14 railroad car or semitrailer that was involved in a disabling  
15 accident.

16           (o) A boat lift used for transporting vessels between a marina  
17 or a body of water and a place of inland storage.

18           (2) Except as otherwise provided in this subsection, a  
19 registration issued to a motor vehicle, recreational vehicle,  
20 trailer, semitrailer, or pole trailer, when driven or moved on a  
21 street or highway, that expires on or after March 1, 2020 is valid  
22 until September 30, 2020. If the registration issued to a motor  
23 vehicle, recreational vehicle, trailer, semitrailer, or pole  
24 trailer, when driven or moved on a street or highway, that is used  
25 for commercial purposes expires on or after March 1, 2020, the  
26 registration is valid until September 30, 2020.

27           Sec. 217b. A moped, **an automated delivery device**, and a low-  
28 speed vehicle ~~shall~~**must** have permanently affixed to their frame a  
29 manufacturer's identification number.



1       Sec. 655c. (1) An automated delivery device must meet all of  
2 the following requirements:

3       (a) If operated upon a highway in this state at any time from  
4 a half an hour after sunset to a half an hour before sunrise and at  
5 any other time when there is not sufficient light to render clearly  
6 discernible persons and vehicles on the highway at a distance of  
7 500 feet, have and operate a lamp on the front of the device that  
8 emits white light visible from a distance of at least 500 feet to  
9 the front and a lamp on the rear that emits red light visible from  
10 a distance of at least 500 feet to the rear under normal  
11 atmospheric conditions.

12       (b) Comply with applicable federal motor vehicle safety  
13 standards as required by the National Highway Traffic Safety  
14 Administration in both of the following:

15       (i) Equipment to prevent excessive or unusual noise.

16       (ii) Equipment to satisfy minimum sound requirements to aid  
17 visually impaired and other pedestrians.

18       (c) Have braking equipment in good working order that enables  
19 the automated delivery device to achieve a minimal risk condition.

20       (2) This act occupies the whole field of regulation of  
21 automated delivery devices operating in this state. A local  
22 authority shall not adopt, enact, or enforce a local law regulating  
23 the operation of an automated delivery device in a manner  
24 inconsistent with this chapter. This section does not affect the  
25 authority of a local authority's police officers to enforce the  
26 laws of this state relating to the operation of a vehicle or  
27 automated delivery device. As used in this subsection, "local law"  
28 means that term as defined in section 605.

29       (3) The operator of an automated delivery device is liable in

1 the event of personal injury or property damage caused by the  
2 operation of the automated delivery device.

3 (4) The operator of an automated delivery device shall  
4 maintain liability coverage as required by the secretary of state.

5 Sec. 660. (1) A person operating an electric personal  
6 assistive mobility device, low-speed vehicle, electric skateboard,  
7 **automated delivery device**, or moped upon a roadway shall ~~ride~~  
8 **operate** as near to the right side of the roadway as practicable and  
9 shall exercise due care when passing a standing vehicle or one  
10 proceeding in the same direction. A motorcycle is entitled to full  
11 use of a lane, and a motor vehicle ~~shall~~**must** not be driven in such  
12 a manner as to deprive a motorcycle of the full use of a lane. This  
13 subsection does not apply to motorcycles operated 2 abreast in a  
14 single lane.

15 (2) A person riding an electric personal assistive mobility  
16 device, motorcycle, electric skateboard, or moped upon a roadway  
17 shall not ride more than 2 abreast except on a path or part of a  
18 roadway set aside for the exclusive use of those vehicles.

19 (3) Where a usable and designated path for bicycles is  
20 provided adjacent to a highway or street, a person operating an  
21 electric personal assistive mobility device or electric skateboard  
22 may, by local ordinance, be required to use that path.

23 (4) A person operating a motorcycle, moped, low-speed vehicle,  
24 electric personal assistive mobility device, or electric skateboard  
25 shall not pass between lines of traffic, but may pass on the left  
26 of traffic moving in his or her direction in the case of a 2-way  
27 street or on the left or right of traffic in the case of a 1-way  
28 street, in an unoccupied lane.

29 (5) A person operating an electric personal assistive mobility

1 device, **automated delivery device**, or electric skateboard on a  
2 sidewalk constructed for the use of pedestrians shall yield the  
3 right-of-way to a pedestrian and ~~shall~~ give an audible signal  
4 before overtaking and passing the pedestrian.

5 (6) A moped, low-speed vehicle, or commercial quadricycle  
6 ~~shall~~**must** not be operated on a sidewalk constructed for the use of  
7 pedestrians.

8 (7) A low-speed vehicle or commercial quadricycle ~~shall~~**must**  
9 be operated at a speed of not more than 25 miles per hour. A low-  
10 speed vehicle ~~shall~~**must** not be operated on a highway or street  
11 with a speed limit of more than 35 miles per hour except for the  
12 purpose of crossing that highway or street. A commercial  
13 quadricycle ~~shall~~**must** not be operated on a highway or street with  
14 a speed limit of more than 45 miles per hour except for the purpose  
15 of crossing that highway or street. An individual shall not operate  
16 a commercial quadricycle that is equipped with a motor unless he or  
17 she has a valid operator's license issued under this act. The state  
18 transportation department may prohibit the operation of a low-speed  
19 vehicle or commercial quadricycle on any highway or street under  
20 its jurisdiction if it determines that the prohibition is necessary  
21 in the interest of public safety.

22 (8) This section does not apply to a police officer in the  
23 performance of his or her official duties.

24 (9) An electric personal assistive mobility device ~~shall~~**must**  
25 be operated at a speed of not more than 15 miles per hour and ~~shall~~  
26 **must** not be operated on a highway or street with a speed limit of  
27 more than 25 miles per hour except to cross that highway or street.

28 (10) An electric skateboard ~~shall~~**must** be operated at a speed  
29 of not more than 25 miles per hour. An electric skateboard that

1 does not have handlebars ~~shall~~**must** not be operated on a highway or  
 2 street with a speed limit of more than 25 miles per hour except to  
 3 cross that highway or street, and an electric skateboard equipped  
 4 with handlebars ~~shall~~**must** not be operated on a highway or street  
 5 with a speed limit of more than 45 miles per hour except to cross  
 6 that highway or street.

7 **(11) When an automated delivery device must be operated on a**  
 8 **sidewalk or other place open to pedestrian traffic, the automated**  
 9 **delivery device must not be operated at a speed of more than 10**  
 10 **miles per hour.**

11 **(12)** ~~(11)~~The governing body of a county, a city, a village,  
 12 an entity created under the urban cooperation act of 1967, 1967 (Ex  
 13 Sess) PA 7, MCL 124.501 to 124.512, or a township may, by ordinance  
 14 based on the health, safety, and welfare of the citizens, regulate  
 15 the operation of electric personal assistive mobility devices,  
 16 electric skateboards, or commercial quadricycles on sidewalks,  
 17 highways or streets, or crosswalks. Except as otherwise provided in  
 18 this subsection, a governing body of a county, city, village,  
 19 entity created under the urban cooperation act of 1967, 1967 (Ex  
 20 Sess) PA 7, MCL 124.501 to 124.512, or township may prohibit the  
 21 operation of electric personal assistive mobility devices, electric  
 22 skateboards or commercial quadricycles in an area open to  
 23 pedestrian traffic adjacent to a waterfront or on a trail under its  
 24 jurisdiction or in a downtown or central business district. Signs  
 25 indicating the regulation ~~shall~~**must** be conspicuously posted in the  
 26 area where the use of an electric personal assistive mobility  
 27 device, electric skateboard, or commercial quadricycle is  
 28 regulated.

29 **(13)** ~~(12)~~Operation of an electric personal assistive mobility

1 device, **automated delivery device**, or electric skateboard is  
 2 prohibited in a special charter city and a state park under the  
 3 jurisdiction of the Mackinac Island State Park commission.

4 (14) ~~(13)~~ Operation of an electric personal assistive mobility  
 5 device or electric skateboard may be prohibited in a historic  
 6 district.

7 (15) ~~(14)~~ The department of natural resources may by order  
 8 regulate the use of electric personal assistive mobility devices or  
 9 electric skateboards on all lands under its control.

10 (16) **An automated delivery device must not be operated on a**  
 11 **trail.**

12 Sec. 679a. (1) A person shall not operate ~~a~~ **any of the**  
 13 **following on a limited access highway in this state:**

14 (a) **A** motorcycle with less than a 125 cubic centimeter engine.

15 ~~τ~~

16 (b) **A** moped. ~~τ~~

17 (c) **An automated delivery device.**

18 (d) **A** farm tractor ~~τ~~ or other self-propelled farm implement. ~~τ~~  
 19 ~~nor shall~~

20 (2) **Except as otherwise provided in this subsection, a**  
 21 **pedestrian, bicycle, ~~except as provided in this section, or and~~**  
 22 **other nonmotorized traffic ~~be~~ are not** permitted on a limited access  
 23 highway in this state. Bicycles ~~shall be~~ **are** permitted on paths  
 24 constructed separately from the roadway and designated for the  
 25 exclusive use of bicycles.

26 (3) ~~(2)~~ A person who violates this section is responsible for  
 27 a civil infraction.

28 Sec. 706. (1) ~~(a)~~ A motor vehicle, including a motorcycle or  
 29 moped, **or an automated delivery device**, when operated upon a

1 highway ~~shall~~**must** be equipped with a horn in good working order  
2 and capable of emitting sound audible under normal conditions from  
3 a distance of not less than 200 feet but a horn or other warning  
4 device ~~shall~~**must** not emit an unreasonably loud or harsh sound or a  
5 whistle. The driver of a motor vehicle shall when reasonably  
6 necessary to insure safe operation give audible warning with his  
7 horn but shall not otherwise use the horn when upon a highway.

8 (2) ~~(b)~~ A vehicle ~~shall~~**must** not be equipped with nor shall a  
9 person use ~~upon~~**on** a vehicle a siren, whistle, or bell, except as  
10 otherwise permitted in this section.

11 (3) ~~(c)~~ A commercial vehicle may be equipped with a theft  
12 alarm signal device ~~which is so arranged that it~~ cannot be used by  
13 the driver as an ordinary warning signal.

14 (4) ~~(d)~~ An authorized emergency vehicle may be equipped with a  
15 siren, whistle, air horn, or bell capable of emitting sound audible  
16 under normal conditions from a distance of not less than 500 feet,  
17 but the siren ~~shall~~**must** not be used except when the vehicle is  
18 operated in response to an emergency call or in the immediate  
19 pursuit of an actual or suspected violator of the law. In those  
20 cases the driver of the vehicle shall sound the siren when  
21 necessary to warn pedestrians and other drivers of the approach of  
22 the vehicle.

23 (5) ~~(e)~~ A motor vehicle licensed as ~~an~~**a** historic vehicle may  
24 be equipped with a siren, whistle, or bell which may be used when  
25 participating in a parade, exhibition, tour, or similar event.

26 **Sec. 801m. (1) If an automated delivery device required to be**  
27 **registered under this act is sold by a retailer to a general**  
28 **purchaser, the retailer shall obtain the certificate of**  
29 **registration in the name of the purchaser. In other circumstances,**

1 the purchaser shall obtain the certificate of registration. An  
2 application for registration must be signed by the purchaser of the  
3 automated delivery device. On receipt of an application for  
4 registration in approved form, the secretary of state shall enter  
5 the application in the secretary of state's records and issue to  
6 the applicant a certificate of registration containing the decal  
7 for the automated delivery device, the name and address of the  
8 owner, and other information the secretary of state considers  
9 necessary. An automated delivery device is not required to be  
10 insured under chapter 31 of the insurance code of 1956, 1956 PA  
11 218, MCL 500.3101 to 500.3179. The certificate of registration must  
12 be legible and made available for inspection on demand by a law  
13 enforcement officer.

14 (2) The secretary of state shall issue a decal indicating that  
15 the certificate of registration is in effect. A registration  
16 certificate and decal must not be issued earlier than 90 days  
17 before the commencement date of the new registration period.  
18 Display of the decal must be as prescribed by rule promulgated by  
19 the secretary of state.

20 (3) A retailer or manufacturer of automated delivery devices,  
21 on application to the secretary of state on forms provided by the  
22 secretary of state, may obtain certificates of registration for use  
23 in the testing or demonstrating of an automated delivery device by  
24 temporary placement of the registration on the automated delivery  
25 device being tested or demonstrated. A certificate issued under  
26 this subsection may be used on only 1 automated delivery device at  
27 a time.

28 (4) An automated delivery device registration is valid for a  
29 3-year period that begins on May 1 and expires on April 30 of the

1 third registration year. For purposes of this subsection, a  
2 registration year begins on May 1 and ends on April 30.