

**SB-0291, As Passed House, November 2, 2011  
HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 291**

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:**

Sec. 658. (1) A person propelling 1 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  
10 person less than 19 years of age operating a moped on a public  
2

S00622'11 \* (H-2) TLG

Senate Bill No. 291 (H-2) as amended November 1, 2011

thoroughfare shall wear a crash helmet on 1 his or her head. **EXCEPT**  
2 **AS PROVIDED IN SUBSECTION (5), A PERSON OPERATING OR RIDING ON A**  
3 **MOTORCYCLE SHALL WEAR A CRASH HELMET ON HIS OR HER HEAD.**

4 (5) **THE FOLLOWING CONDITIONS APPLY TO A PERSON 21 YEARS OF AGE**  
5 **OR OLDER OPERATING OR RIDING ON A MOTORCYCLE, AS APPLICABLE:**

6 **[(A) A PERSON WHO IS OPERATING A MOTORCYCLE IS NOT REQUIRED TO**  
7 **WEAR**

8 **A CRASH HELMET ON HIS OR HER HEAD IF HE OR SHE HAS HAD A**  
9 **MOTORCYCLE**

10 **ENDORSEMENT ON HIS OR HER OPERATOR'S OR CHAUFFEUR'S LICENSE FOR**  
11 **NOT LESS**

12 **THAN 2 YEARS OR THE PERSON PASSES A MOTORCYCLE SAFETY COURSE**  
13 **CONDUCTED**

14 **UNDER SECTION 811A OR 811B AND SATISFIES THE REQUIREMENTS OF**  
15 **SUBDIVISION**

16 **(C).**

17 **(B) A PERSON WHO IS RIDING ON A MOTORCYCLE IS NOT REQUIRED TO**  
18 **WEAR**

19 **A CRASH HELMET ON HIS OR HER HEAD IF THE PERSON OR THE OPERATOR**  
20 **OF THE**

21 **MOTORCYCLE SATISFIES THE REQUIREMENTS OF SUBDIVISION (C).**

22 **(C) A PERSON WHO IS OPERATING A MOTORCYCLE AND A PERSON WHO IS**  
23 **RIDING ON A MOTORCYCLE ARE NOT REQUIRED TO WEAR CRASH HELMETS ON**

24 **THEIR**

17 HEADS IF THE OPERATOR OF THE MOTORCYCLE OR THE RIDER HAS IN  
EFFECT

18 SECURITY FOR THE FIRST-PARTY MEDICAL BENEFITS PAYABLE IN THE  
EVENT THAT

19 HE OR SHE IS INVOLVED IN A MOTORCYCLE ACCIDENT, AS PROVIDED IN  
SECTION

20 310F OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.3103,  
IN 1 OF

THE FOLLOWING AMOUNTS, AS APPLICABLE:

(i) A MOTORCYCLE OPERATOR WITHOUT A RIDER, NOT LESS THAN  
\$20,000.00.

(ii) A MOTORCYCLE OPERATOR WITH A RIDER, NOT LESS THAN \$20,000.00  
PER PERSON PER OCCURRENCE. HOWEVER, IF THE RIDER HAS SECURITY IN AN  
AMOUNT NOT LESS THAN \$20,000.00, THEN THE OPERATOR IS ONLY REQUIRED  
TO

HAVE SECURITY IN THE AMOUNT OF NOT LESS THAN \$20,000.00.]

21 (6) Crash helmets shall be approved by the department of state  
22 police. The department of state police shall promulgate rules  
for

23 the implementation of this section pursuant to **UNDER** the  
24 administrative procedures act of 1969, 1969 PA 306, MCL 24.201  
to

25 24.328. Rules in effect on June 1, 1970, shall apply to helmets  
26 required by this act. This subsection does

27 (7) **THE CRASH HELMET REQUIREMENTS UNDER THIS SECTION DO** not  
1 apply to the person operating or riding in an autocycle if the  
2 vehicle is equipped with a roof which **THAT** meets or exceeds  
3 standards for a crash helmet.

4 (8) (5) A person operating or riding in an autocycle shall  
5 wear seat belts when on a public highway in this state.