

SENATE BILL No. 527

September 29, 2015, Introduced by Senators WARREN and HOOD 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 2012 PA 589.

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) An electric personal assistive mobility device shall not
8 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
11 thoroughfare shall wear a crash helmet on his or her head. ~~Except~~

1 ~~as provided in subsection (5), a person operating or riding on a~~
2 ~~motorcycle shall wear a crash helmet on his or her head.~~

3 ~~—— (5) The following conditions apply to a person 21 years of age~~
4 ~~or older operating or riding on a motorcycle, as applicable:~~

5 ~~—— (a) A person who is operating a motorcycle is not required to~~
6 ~~wear a crash helmet on his or her head if he or she has had a~~
7 ~~motorcycle endorsement on his or her operator's or chauffeur's~~
8 ~~license for not less than 2 years or the person passes a motorcycle~~
9 ~~safety course conducted under section 811a or 811b and satisfies~~
10 ~~the requirements of subdivision (c).~~

11 ~~—— (b) A person who is riding on a motorcycle is not required to~~
12 ~~wear a crash helmet on his or her head if the person or the~~
13 ~~operator of the motorcycle satisfies the requirements of~~
14 ~~subdivision (c).~~

15 ~~—— (c) A person who is operating a motorcycle and a person who is~~
16 ~~riding on a motorcycle are not required to wear crash helmets on~~
17 ~~their heads if the operator of the motorcycle or the rider has in~~
18 ~~effect security for the first party medical benefits payable in the~~
19 ~~event that he or she is involved in a motorcycle accident, as~~
20 ~~provided in section 3103 of the insurance code of 1956, 1956 PA~~
21 ~~218, MCL 500.3103, in 1 of the following amounts, as applicable:~~

22 ~~—— (i) A motorcycle operator without a rider, not less than~~
23 ~~\$20,000.00.~~

24 ~~—— (ii) A motorcycle operator with a rider, not less than~~
25 ~~\$20,000.00 per person per occurrence. However, if the rider has~~
26 ~~security in an amount not less than \$20,000.00, then the operator~~
27 ~~is only required to have security in the amount of not less than~~

1 ~~\$20,000.00.~~

2 (5) ~~(6)~~—Crash helmets shall be approved by the department of
3 state police. The department of state police shall promulgate rules
4 for the implementation of this section under the administrative
5 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. Rules in
6 effect on June 1, 1970, apply to helmets required by this act.

7 (6) ~~(7)~~—The crash helmet requirements under this section do
8 not apply to a person operating or riding in an autocyple if the
9 vehicle is equipped with a roof that meets or exceeds standards for
10 a crash helmet.

11 (7) ~~(8)~~—A person operating or riding in an autocyple shall
12 wear seat belts when on a public highway in this state.

13 Enacting section 1. This amendatory act takes effect 90 days
14 after the date it is enacted into law.