

SENATE BILL No. 321

March 20, 2003, Introduced by Senators CROPSEY, BARCIA, LELAND, PATTERSON, PRUSI, STAMAS, JELINEK, McMANUS and SCHAUER 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 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
10 person less than 19 years of age operating a moped on a public

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

10 (5) Subsection (4) does not apply to any of the following:

11 (a) A person 21 years of age or older who has been licensed
12 under this act to operate a motorcycle for not less than 2 years
13 or who has successfully completed a motorcycle safety course as
14 provided in section 811a or 811b.

15 (b) The passenger on a motorcycle operated by a person
16 described in subdivision (a) if the passenger is 21 years of age
17 or older.

18 (c) A person operating or riding in an autocycle if the
19 vehicle is equipped with a roof that meets or exceeds standards
20 for a crash helmet.

21 (6) ~~(5)~~ A person operating or riding in an autocycle shall
22 wear seat belts when on a public highway in this state.