

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:

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

Senate Bill No. 291 (H-2) as amended November 1, 2011
 1 thoroughfare shall wear a crash helmet on 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 WEAR
 7 A CRASH HELMET ON HIS OR HER HEAD IF HE OR SHE HAS HAD A MOTORCYCLE
 8 ENDORSEMENT ON HIS OR HER OPERATOR'S OR CHAUFFEUR'S LICENSE FOR NOT LESS
 9 THAN 2 YEARS OR THE PERSON PASSES A MOTORCYCLE SAFETY COURSE CONDUCTED
 10 UNDER SECTION 811A OR 811B AND SATISFIES THE REQUIREMENTS OF SUBDIVISION
 11 (C).]

12 (B) A PERSON WHO IS RIDING ON A MOTORCYCLE IS NOT REQUIRED TO WEAR
 13 A CRASH HELMET ON HIS OR HER HEAD IF THE PERSON OR THE OPERATOR OF THE
 14 MOTORCYCLE SATISFIES THE REQUIREMENTS OF 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 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 a 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.