

# HOUSE BILL No. 4608

May 4, 2011, Introduced by Reps. Pettalia, Franz, Tyler, MacMaster, Kurtz, Damrow, Bumstead, Jenkins, Horn, Zorn, Walsh, Crawford, Byrum, Foster, Huuki, Somerville, Shirkey, Kowall, Denby, Callton, Olson, Muxlow, Lund, Liss, Dillon, Cotter, Lane, Stapleton, Brunner, Melton, Ananich and Nathan 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

1 thoroughfare shall wear a crash helmet on his or her head. A PERSON  
2 LESS THAN 21 YEARS OF AGE OPERATING OR RIDING ON A MOTORCYCLE SHALL  
3 WEAR A CRASH HELMET ON HIS OR HER HEAD. A PERSON 21 YEARS OF AGE OR  
4 OLDER OPERATING OR RIDING ON A MOTORCYCLE IS NOT REQUIRED TO WEAR A  
5 CRASH HELMET ON HIS OR HER HEAD IF HE OR SHE HAS HAD A MOTORCYCLE  
6 ENDORSEMENT ON HIS OR HER OPERATOR'S OR CHAUFFEUR'S LICENSE FOR NOT  
7 LESS THAN 2 YEARS OR THE PERSON PASSES A MOTORCYCLE SAFETY COURSE  
8 CONDUCTED UNDER SECTION 811A OR 811B.

9 (5) Crash helmets shall be approved by the department of state  
10 police. The department of state police shall promulgate rules for  
11 the implementation of this section ~~pursuant to~~ **UNDER** the  
12 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
13 24.328. Rules in effect on June 1, 1970, ~~shall~~ apply to helmets  
14 required by this act. ~~This subsection~~

15 (6) **SUBSECTION (4)** does not apply to a person operating or  
16 riding in an autocyple if the vehicle is equipped with a roof ~~which~~  
17 **THAT** meets or exceeds standards for a crash helmet.

18 (7) ~~(5)~~ A person operating or riding in an autocyple shall  
19 wear seat belts when on a public highway in this state.