SENATE SUBSTITUTE FOR

HOUSE BILL NO. 5374

A bill to amend 1949 PA 300, entitled

"Michigan vehicle code,"

by amending sections 33 and 39 (MCL 257.33 and 257.39), section 33

as amended by 2018 PA 204, and by adding section 43c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 33. "Motor vehicle" means every vehicle that is self-

2   propelled, but for purposes of chapter 4, ~~of this act~~ motor vehicle

3   does not include industrial equipment such as a forklift, a front-

4   end loader, or other construction equipment that is not subject to

5   registration under this act. **MOTOR VEHICLE DOES NOT INCLUDE A**

6   **POWER-DRIVEN MOBILITY DEVICE WHEN THAT POWER-DRIVEN MOBILITY DEVICE**

7   **IS BEING USED BY AN INDIVIDUAL WITH A MOBILITY DISABILITY.** Motor

8   vehicle does not include an electric patrol vehicle being operated

1 in compliance with the electric patrol vehicle act, 1997 PA 55, MCL

2 257.1571 to 257.1577. Motor vehicle does not include an electric

3 personal assistive mobility device. Motor vehicle does not include

4 an electric carriage. Motor vehicle does not include a commercial

5 quadricycle. Motor vehicle does not include an electric bicycle.

6 Motor vehicle does not include an electric skateboard.

7 Sec. 39. "Pedestrian" means any person afoot. **PEDESTRIAN**

8 **INCLUDES AN INDIVIDUAL WITH A MOBILITY DISABILITY WHO IS USING A**

9 **POWER-DRIVEN MOBILITY DEVICE.**

10 **SEC. 43C. "POWER-DRIVEN MOBILITY DEVICE" MEANS A MOBILITY**

11 **DEVICE POWERED BY A BATTERY, FUEL, OR OTHER ENGINE AND USED BY AN**

12 **INDIVIDUAL WITH A MOBILITY DISABILITY FOR THE PURPOSE OF**

13 **LOCOMOTION. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, THE**

14 **REQUIREMENTS OF THIS ACT APPLY TO A POWER-DRIVEN MOBILITY DEVICE**

15 **WHILE THAT DEVICE IS BEING OPERATED ON A STREET, ROAD, OR HIGHWAY**

16 **IN THIS STATE.**

17 Enacting section 1. This amendatory act takes effect 90 days

18 after the date it is enacted into law.

19 Enacting section 2. This amendatory act does not take effect

20 unless House Bill No. 5834 of the 99th Legislature is enacted into

21 law.