

SUBSTITUTE FOR  
SENATE BILL NO. 1121

<<A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 21, 59, 73, 312a, 312b, 658, and 717 (MCL 257.21,  
257.59, 257.73, 257.312a, 257.312b, 257.658, and 257.717), section 21 as  
amended by 1985 PA 32, section 312b as amended by 2004 PA 362,  
section 658 as amended by 2012 PA 98, and section 717 as amended by 2008  
PA 539.>>

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 21. "Implement of husbandry" means a vehicle ~~which is~~  
2 ~~either a farm tractor, a vehicle designed to be drawn by a farm~~  
3 ~~tractor or an animal, a vehicle which directly harvests farm~~  
4 ~~products, or a vehicle which directly applies fertilizer, spray, or~~  
5 ~~seeds to a farm field.~~ OR TRAILER DESIGNED OR USED FOR THE PRIMARY  
6 FUNCTION OF SERVING AGRICULTURAL, HORTICULTURAL, OR LIVESTOCK  
7 OPERATIONS. IMPLEMENT OF HUSBANDRY INCLUDES A FARM TRACTOR, SELF-

1 PROPELLED APPLICATION-TYPE VEHICLE, FARM WAGON, FARM TRAILER, A  
2 VEHICLE OR TRAILER ADAPTED FOR LIFTING OR CARRYING ANOTHER  
3 IMPLEMENT OF HUSBANDRY, OR ANY SUBSTANTIALLY SIMILAR EQUIPMENT USED  
4 TO TRANSPORT PRODUCTS NECESSARY FOR AGRICULTURAL PRODUCTION.

5 Sec. 59. "Semi-trailer" means every vehicle with or without  
6 motive power, other than a pole-trailer, designed for carrying  
7 persons or property and for being drawn by a motor vehicle and so  
8 constructed that some part of its weight and that of its load rests  
9 upon or is carried by another vehicle. **SEMI-TRAILER DOES NOT**  
10 **INCLUDE ANY IMPLEMENT OF HUSBANDRY.**

11 Sec. 73. "Trailer" means every vehicle with or without motive  
12 power, other than a pole-trailer, designed for carrying property or  
13 persons and for being drawn by a motor vehicle and so constructed  
14 that no part of its weight rests upon the towing vehicle. **TRAILER**  
15 **DOES NOT INCLUDE ANY IMPLEMENT OF HUSBANDRY.**

16 Sec. 312a. (1) A person, before operating a motorcycle, **OTHER**  
17 **THAN AN AUTOCYCLE**, upon a public street or highway in this state,  
18 shall procure a motorcycle indorsement on the operator's or  
19 chauffeur's license. The license shall be issued, suspended,  
20 revoked, canceled, or renewed in accordance with and governed by  
21 this act.

22 (2) A person, before operating a moped upon a highway shall  
23 procure a special restricted license to operate a moped unless the  
24 person has a valid operator's or chauffeur's license. A special  
25 restricted license to operate a moped may be issued to a person 15  
26 years of age or older if the person satisfies the secretary of  
27 state that he is competent to operate a moped with safety. The

1 secretary of state shall not require a road test before issuance of  
2 a special restricted license to operate a moped.

3 (3) A special restricted license to operate a moped shall  
4 expire on the birthday of the person to whom it is issued in the  
5 fourth year following the date of issuance. A license shall not be  
6 issued for a period longer than 4 years. A person issued a license  
7 to operate a moped shall pay \$7.50 for an original license and  
8 \$6.00 for a renewal license. The money received and collected under  
9 this subsection shall be deposited in the state treasury to the  
10 credit of the general fund. The secretary of state shall refund out  
11 of the fees collected to each county or municipality, acting as an  
12 examining officer, \$2.50 for each applicant examined for an  
13 original license and \$1.00 for a renewal license.

14 Sec. 312b. (1) Before a person who is less than 18 years of  
15 age is issued an original motorcycle endorsement on an operator's  
16 or chauffeur's license, the person shall pass an examination as  
17 required by this section and a motorcycle safety course as provided  
18 in section 811a or 811b.

19 (2) Before a person who is 18 years of age or older is issued  
20 an original motorcycle endorsement on an operator's or chauffeur's  
21 license, the person shall pass an examination as required by this  
22 section. A person who fails this examination 2 or more times is  
23 required to successfully complete a motorcycle safety course as  
24 provided in section 811a or 811b. Each written examination given an  
25 applicant for a motorcycle endorsement on an operator's or  
26 chauffeur's license as provided in section 309 shall also include  
27 subjects designed to cover a motorcycle. A person shall pass an

1 examination that ~~shall include~~ **INCLUDES** a driving test designed to  
2 test the competency of the applicant for the first motorcycle  
3 endorsement on an operator's or chauffeur's license to operate a  
4 motorcycle upon the roads and highways of this state with safety to  
5 himself or herself and other persons and property. All examinations  
6 shall be administered as provided in this act. The requirement of a  
7 motorcycle driving skills test shall be waived for an applicant who  
8 has successfully completed a motorcycle safety course conducted by  
9 a school or business enterprise as provided in section 811a or  
10 811b. The motorcycle safety course skills test shall meet or exceed  
11 the motorcycle skills test from the secretary of state. The  
12 requirement of a motorcycle driving skills test may be waived if  
13 the applicant has a valid license or endorsement to operate a  
14 motorcycle from another state.

15 (3) A motorcycle endorsement issued to a person who operates a  
16 3-wheeled motorcycle ~~or~~ **OTHER THAN** an autocycle shall be restricted  
17 to operation of that type of motorcycle and does not permit  
18 operation of a 2-wheeled motorcycle. The secretary of state shall  
19 develop a driving test specifically pertaining to ~~an autocycle or a~~  
20 3-wheeled motorcycle **OTHER THAN AN AUTOCYCLE**.

21 (4) The secretary of state is responsible for establishing and  
22 conducting the motorcycle operator driving skills test and shall  
23 promulgate rules under the administrative procedures act of 1969,  
24 1969 PA 306, MCL 24.201 to 24.328, for purposes of this subsection.  
25 An audit of the motorcycle safety fund shall be conducted by the  
26 office of the auditor general to determine compliance with the  
27 requirement that funds are being withdrawn only in relation to this

1 act. A copy of the audit shall be transmitted to the legislature  
2 upon completion.

3 (5) The secretary of state may enter into an agreement with  
4 another public or private corporation or agency to conduct a  
5 driving skills test required under this section. Before the  
6 secretary of state authorizes a person to administer a  
7 corporation's or agency's driver skills testing operations or  
8 authorizes an examiner to conduct a driving skills test, that  
9 person or examiner must complete both a state and federal bureau of  
10 investigation fingerprint based criminal history check through the  
11 department of state police. In an agreement with another public or  
12 private corporation or agency to conduct a driving skills test  
13 under this section, the secretary of state shall prescribe the  
14 method and examination criteria to be followed by the corporation,  
15 agency, or examiner when conducting the driving skills test and the  
16 form of the certification to be issued to a person who  
17 satisfactorily completes a driving skills test. For administering  
18 and overseeing a third party motorcycle testing program, the  
19 secretary of state shall be reimbursed from the motorcycle safety  
20 fund a total amount that does not exceed 50% of the department's  
21 1995-1996 fiscal year appropriation for motorcycle testing under  
22 this section.

23 (6) A person who corrupts or attempts to corrupt a  
24 corporation, agency, or examiner that conducts a driving skills  
25 test under an agreement entered into with the secretary of state  
26 under this section by giving, offering, or promising any gift or  
27 gratuity with the intent to influence the opinion or decision of

1 the corporation, agency, or examiner conducting the driving skills  
2 test is guilty of a felony.

3 (7) A designated examining officer appointed or designated by  
4 the secretary of state who conducts a driving skills test under an  
5 agreement entered into under this section and who varies from,  
6 shortens, or in any other way changes the method or examination  
7 criteria prescribed to be followed under that agreement in  
8 conducting a driving skills test under this section is guilty of a  
9 felony.

10 (8) A person who forges, counterfeits, or alters a  
11 satisfactorily completed driving skills test certification issued  
12 by a designated examining officer appointed or designated by the  
13 secretary of state under this section is guilty of a felony.

14 Sec. 658. (1) A person propelling a bicycle or operating a  
15 motorcycle or moped shall not ride other than upon and astride a  
16 permanent and regular seat attached to that vehicle.

17 (2) A bicycle or motorcycle shall not be used to carry more  
18 persons at 1 time than the number for which it is designed and  
19 equipped.

20 (3) ~~A moped or an~~ **AN** electric personal assistive mobility  
21 device shall not be used to carry more than 1 person at a time.

22 (4) A person less than 19 years of age operating a moped on a  
23 public thoroughfare shall wear a crash helmet on his or her head.  
24 Except as provided in subsection (5), a person operating or riding  
25 on a motorcycle shall wear a crash helmet on his or her head.

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

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

7 (b) A person who is riding on a motorcycle is not required to  
8 wear a crash helmet on his or her head if the person or the  
9 operator of the motorcycle satisfies the requirements of  
10 subdivision (c).

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

18 (i) A motorcycle operator without a rider, not less than  
19 \$20,000.00.

20 (ii) A motorcycle operator with a rider, not less than  
21 \$20,000.00 per person per occurrence. However, if the rider has  
22 security in an amount not less than \$20,000.00, then the operator  
23 is only required to have security in the amount of not less than  
24 \$20,000.00.

25 (6) Crash helmets shall be approved by the department of state  
26 police. The department of state police shall promulgate rules for  
27 the implementation of this section under the administrative

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1 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. Rules in  
2 effect on June 1, 1970, apply to helmets required by this act.

3 (7) The crash helmet requirements under this section do not  
4 apply to a person operating or riding in an autocycle if the  
5 vehicle is equipped with a roof that meets or exceeds standards for  
6 a crash helmet.

7 (8) A person operating or riding in an autocycle shall wear  
8 seat belts when on a public highway in this state.

<<Sec. 717. (1) The total outside width of a vehicle or the load on  
a vehicle shall not exceed 96 inches, except as otherwise provided in  
this section.

(2) A person may operate or move an implement of husbandry of any  
width on a highway as required, designed, and intended for farming  
operations, including the movement of implements of husbandry being  
driven or towed and not hauled on a trailer, without obtaining a special  
permit for an excessively wide vehicle or load under section 725. The  
operation or movement of the implement of husbandry shall be in a manner  
so as to minimize the interruption of traffic flow. A person shall not  
operate or move an implement of husbandry to the left of the center of  
the roadway from a half hour after sunset to a half hour before sunrise,  
under the conditions specified in section 639, or at any time visibility  
is substantially diminished due to weather conditions. A person operating  
or moving an implement of husbandry shall follow all traffic regulations.

(3) The total outside width of the load of a vehicle hauling  
concrete pipe, agricultural products, or unprocessed logs, pulpwood, or  
wood bolts shall not exceed 108 inches.

(4) Except as provided in subsections (2) and (5) and this  
subsection, if a vehicle that is equipped with pneumatic tires is  
operated on a highway, the maximum width from the outside of 1 wheel and  
tire to the outside of the opposite wheel and tire shall not exceed 102  
inches, and the outside width of the body of the vehicle or the load on  
the vehicle shall not exceed 96 inches. However, a truck and trailer or a  
tractor and semitrailer combination hauling pulpwood or unprocessed logs  
may be operated with a maximum width of not to exceed 108 inches in  
accordance with a special permit issued under section 725.

(5) The total outside body width of a bus, a trailer coach, a  
trailer, a semitrailer, a truck camper, or a motor home shall not exceed  
102 inches. However, an appurtenance of a trailer coach, a truck camper,  
or a motor home that extends not more than 6 inches beyond the total  
outside body width is not a violation of this section.

**(6) THE TOTAL OUTSIDE BODY WIDTH OF A CRIB VEHICLE SHALL NOT EXCEED  
108 INCHES.**

(7) ~~(6)~~—A vehicle shall not extend beyond the center line of a  
state trunk line highway except when authorized by law. Except as  
provided in subsection (2), if the width of the vehicle makes it  
impossible to stay away from the center line, a permit shall be obtained  
under section 725.

(8) ~~(7)~~—The director of the state transportation department, a  
county road commission, or a local authority may designate a highway



under the agency's jurisdiction as a highway on which a person may operate a vehicle or vehicle combination that is not more than 102 inches in width, including load, the operation of which would otherwise be prohibited by this section. The agency making the designation may require that the owner or lessee of the vehicle or of each vehicle in the vehicle combination secure a permit before operating the vehicle or vehicle combination. This subsection does not restrict the issuance of a special permit under section 725 for the operation of a vehicle or vehicle combination. This subsection does not permit the operation of a vehicle or vehicle combination described in section 722a carrying a load described in that section if the operation would otherwise result in a violation of that section.

(9) ~~(8)~~—The director of the state transportation department, a county road commission, or a local authority may issue a special permit under section 725 to a person operating a vehicle or vehicle combination if all of the following are met:

(a) The vehicle or vehicle combination, including load, is not more than 106 inches in width.

(b) The vehicle or vehicle combination is used solely to move new motor vehicles or parts or components of new motor vehicles between facilities that meet all of the following:

(i) New motor vehicles or parts or components of new motor vehicles are manufactured or assembled in the facilities.

(ii) The facilities are located within 10 miles of each other.

(iii) The facilities are located within the city limits of the same city and the city is located in a county that has a population of more than 400,000 and less than 500,000 according to the most recent federal decennial census.

(c) The special permit and any renewals are each issued for a term of 1 year or less.

(10) ~~(9)~~—A person may move or operate a boat lift of any width or an oversized hydraulic boat trailer owned and operated by a marina or watercraft dealer in a commercial boat storage operation on a highway under a multiple trip permit issued on an annual basis as specified under section 725. The operation or movement of the boat lift or trailer shall minimize the interruption of traffic flow. It shall be used exclusively to transport a boat between a place of storage and a marina or in and around a marina. A boat lift or oversized hydraulic boat trailer may be operated, drawn, or towed on a street or highway only when transporting a vessel between a body of water and a place of storage or when traveling empty to or from transporting a vessel. A boat lift shall not be operated on limited access highways. A person moving or operating a boat lift or oversized hydraulic boat trailer shall follow all traffic regulations and shall ensure the route selected has adequate power and utility wire height clearance.

(11) ~~(10)~~—A person who violates this section is responsible for a civil infraction. The owner of the vehicle may be charged with a violation of this section.>>