

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.658 Riding on seat of bicycle, motorcycle, moped, electric skateboard, or electric personal assistive mobility device; number of persons; wearing of crash helmet; conditions; rules; requirements for autocycle.

Sec. 658.

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

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

(3) An electric personal assistive mobility device or an electric skateboard shall not be used to carry more than 1 person at a time.

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

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

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

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

(c) A person who is operating a motorcycle and a person who is riding on a motorcycle are not required to wear crash helmets on their heads if the operator of the motorcycle or the rider has in effect security for the first-party medical benefits payable in the event that he or she is involved in a motorcycle accident, as provided in section 3103 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.

(6) Crash helmets shall be approved by the department of state police. The department of state police shall promulgate rules for the implementation of this section under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. Rules in effect on June 1, 1970, apply to helmets required by this act.

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

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

(9) A person under the age of 12 shall not operate an electric skateboard on a public highway or street.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1959, Act 260, Eff. Mar. 19, 1960 ;-- Am. 1966, Act 207, Eff. Mar. 10, 1967 ;-- Am. 1968, Act 141, Imd. Eff. June 12, 1968 ;-- Am. 1969, Act 118, Eff. Sept. 1, 1969 ;-- Am. 1969, Act 134, Eff. June 1, 1970 ;-- Am. 1970, Act 24, Imd. Eff. June 1, 1970 ;-- Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977 ;-- Am. 1983, Act 91, Imd. Eff. June 16, 1983 ;-- Am. 1984, Act 328, Imd. Eff. Dec. 26, 1984 ;-- Am. 2002, Act 494, Imd. Eff. July 3, 2002 ;-- Am. 2012, Act 98, Imd. Eff. Apr. 13, 2012 ;-- Am. 2012, Act 589, Eff. Mar. 28, 2013 ;-- Am. 2018, Act 204, Eff. Sept. 18, 2018

Constitutionality: The legislature may reasonably require that helmets be worn with a view to mitigating potential civil and criminal liability of drivers who collide with motorcycles. *People v Poucher*, 398 Mich 316; 247 NW2d 798 (1976).

Popular Name: Helmet Law

Admin Rule: R 28.901 et seq. and R 28.951 et seq. of the Michigan Administrative Code.