

**SUBSTITUTE FOR  
SENATE BILL NO. 1016**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 33, 657, 658, 660, 661, and 662 (MCL 257.33,  
257.657, 257.658, 257.660, 257.661, and 257.662), section 33 as  
amended by 1997 PA 56, sections 657 and 660 as amended by 2000 PA  
82, section 658 as amended by 1984 PA 328, and section 662 as  
amended by 2000 PA 131, and by adding section 13c.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 13C. "ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE"  
2 MEANS A SELF-BALANCING NONTANDEM 2-WHEELED DEVICE, DESIGNED TO  
3 TRANSPORT ONLY 1 PERSON AT A TIME, HAVING AN ELECTRICAL PROPUL-  
4 SION SYSTEM WITH AVERAGE POWER OF 750 WATTS OR 1 HORSEPOWER AND A  
5 MAXIMUM SPEED ON A PAVED LEVEL SURFACE OF NOT MORE THAN 15 MILES  
6 PER HOUR.

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1           Sec. 33. "Motor vehicle" means every vehicle that is  
2 self-propelled, but for purposes of chapter 4 of this act motor  
3 vehicle does not include industrial equipment such as a forklift,  
4 a front-end loader, or other construction equipment that is not  
5 subject to registration under this act. Motor vehicle does not  
6 include an electric patrol vehicle being operated in compliance  
7 with the electric patrol vehicle act. MOTOR VEHICLE DOES NOT  
8 INCLUDE AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.

9           Sec. 657. ~~Every~~ EACH person riding a bicycle, ELECTRIC  
10 PERSONAL ASSISTIVE MOBILITY DEVICE, or moped or operating a  
11 low-speed vehicle upon a roadway ~~shall be granted~~ HAS all of  
12 the rights and ~~shall be~~ IS subject to all of the duties appli-  
13 cable to the driver of a vehicle by this chapter, except as to  
14 special regulations in this article and except as to ~~those~~ THE  
15 provisions of this chapter which by their nature do not have  
16 application.

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

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

23           (3) A moped OR AN ELECTRIC PERSONAL ASSISTIVE MOBILITY  
24 DEVICE shall not be used to carry more than 1 person at a time.

25           (4) A person operating or riding on a motorcycle, and any  
26 person less than 19 years of age operating a moped on a public  
27 thoroughfare shall wear a crash helmet on his or her head. Crash

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1 helmets shall be approved by the department of state police. The  
2 department of state police shall promulgate rules for the imple-  
3 mentation of this section pursuant to the administrative proce-  
4 dures act of 1969, ~~Act No. 306 of the Public Acts of 1969, being~~  
5 ~~sections 24.201 to 24.315 of the Michigan Compiled Laws~~ 1969 PA  
6 306, MCL 24.201 TO 24.328. Rules in effect on June 1, 1970,  
7 shall apply to helmets required by this act. This subsection  
8 does not apply to a person operating or riding in an autocy-  
9 cle if the vehicle is equipped with a roof which meets or exceeds stan-  
10 dards for a crash helmet.

11 (5) A person operating or riding in an autocy-  
12 cle shall wear seat belts when on a public highway in this state.

13 Sec. 660. (1) A person operating a bicycle, ELECTRIC PER-  
14 SONAL ASSISTIVE MOBILITY DEVICE, low-speed vehicle, or moped upon  
15 a roadway shall ride as near to the right side of the roadway as  
16 practicable, exercising due care when passing a standing vehicle  
17 or one proceeding in the same direction. A motorcycle is enti-  
18 tled to full use of a lane and a motor vehicle shall not be  
19 driven in such a manner as to deprive a motorcycle of the full  
20 use of a lane. This subsection shall not apply to motorcycles  
21 operated 2 abreast in a single lane.

22 (2) A person riding a bicycle, motorcycle, or moped upon a  
23 roadway shall not ride more than 2 abreast except on a path or  
24 part of a roadway set aside for the exclusive use of those  
25 vehicles.

26 (3) Where a usable and designated path for bicycles is  
27 provided adjacent to a roadway, a bicycle rider OR AN ELECTRIC

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1 PERSONAL ASSISTIVE MOBILITY DEVICE OPERATOR may, by local  
2 ordinance, be required to use that path. Where a usable and des-  
3 ignated path for bicycles is provided adjacent to a roadway, a  
4 bicycle rider who is less than 16 years of age shall use that  
5 path unless accompanied by an adult.

6 (4) A person operating a motorcycle, moped, low-speed vehi-  
7 cle, ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE, or bicycle  
8 shall not pass between lines of traffic, but may pass on the left  
9 of traffic moving in his or her direction in the case of a 2-way  
10 street, or on the left or right of traffic in the case of a 1-way  
11 street, in an unoccupied lane.

12 (5) A person operating a bicycle OR AN ELECTRIC PERSONAL  
13 ASSISTIVE MOBILITY DEVICE on a sidewalk constructed for the use  
14 of pedestrians shall yield the right of way to a pedestrian and  
15 shall give an audible signal before overtaking and passing the  
16 pedestrian.

17 (6) A moped or low-speed vehicle shall not be operated on a  
18 sidewalk constructed for the use of pedestrians.

19 (7) A low-speed vehicle shall be operated at a speed of not  
20 to exceed 25 miles per hour and shall not be operated on a high-  
21 way, road, or street with a speed limit of more than 35 miles per  
22 hour except for the purpose of crossing that highway, road, or  
23 street. The state transportation department may prohibit the  
24 operation of a low-speed vehicle on any highway under its juris-  
25 diction if it determines that the prohibition is necessary in the  
26 interest of public safety.

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1 (8) This section shall not apply to a police officer in the  
2 performance of his or her official duties.

3 (9) AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE SHALL BE  
4 OPERATED AT A SPEED NOT TO EXCEED 15 MILES PER HOUR AND SHALL NOT  
5 BE OPERATED ON A ROADWAY WITH A SPEED LIMIT OF MORE THAN 25 MILES  
6 PER HOUR EXCEPT TO CROSS THAT ROADWAY.

7 (10) THE GOVERNING BODY OF A COUNTY, CITY, VILLAGE, OR TOWN-  
8 SHIP MAY, BY ORDINANCE, WHICH IS BASED ON THE HEALTH, SAFETY, AND WELFARE  
9 OF THE CITIZENS, REGULATE BUT NOT PROHIBIT THE OPERATION  
10 OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES ON SIDEWALKS OR  
11 CROSSWALKS. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A GOVERNING  
12 BODY OF A COUNTY, CITY, VILLAGE, OR TOWNSHIP MAY PROHIBIT THE OPERATION  
13 OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES IN AN AREA OPEN TO  
14 PEDESTRIAN TRAFFIC ADJACENT TO A WATERFRONT. SIGNS INDICATING THE  
15 REGULATION SHALL BE CONSPICU-  
16 OUSLY POSTED IN THE AREA WHERE THE USE OF AN ELECTRIC PERSONAL  
17 ASSISTIVE MOBILITY DEVICE IS REGULATED.

18 (11) OPERATION OF AN ELECTRIC PERSONAL ASSISTIVE MOBILITY  
19 DEVICE IS PROHIBITED IN A SPECIAL CHARTER CITY AND A STATE PARK  
20 UNDER THE JURISDICTION OF THE MACKINAC ISLAND STATE PARK  
21 COMMISSION.

22 Sec. 661. A person operating a bicycle, ELECTRIC PERSONAL  
23 ASSISTIVE MOBILITY DEVICE, moped, or motorcycle shall not carry  
24 any package, bundle, or article ~~which~~ THAT prevents the driver  
25 from keeping both hands upon the handlebars of the vehicle.

26 Sec. 662. (1) A bicycle ~~when in use at nighttime~~ OR AN  
27 ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE BEING OPERATED ON A  
ROADWAY BETWEEN 1/2 HOUR AFTER SUNSET AND 1/2 HOUR BEFORE SUNRISE  
shall be equipped with a lamp on the front which shall emit a  
white light visible from a distance of at least 500 feet to the  
front and with a red reflector on the rear which shall be visible  
from all distances from 100 feet to 600 feet to the rear when

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1 directly in front of lawful lower beams of head lamps on a motor  
2 vehicle. A lamp emitting a red light visible from a distance of  
3 500 feet to the rear may be used in addition to the red  
4 reflector.

5 (2) A bicycle shall be equipped with a brake which will  
6 enable the operator to make the braked wheels skid on dry, level,  
7 clean pavement.

8 (3) AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE SHALL  
9 ENABLE THE OPERATOR TO BRING IT TO A CONTROLLED STOP.

10 (4) ~~(3)~~ A person shall not sell, offer for sale, or  
11 deliver for sale in this state a bicycle or a pedal for use on a  
12 bicycle, either of which was manufactured after January 1, 1976,  
13 unless it is equipped with a type of reflex reflector located on  
14 the front and rear surfaces of the pedal. The reflector elements  
15 may be either integral with the construction of the pedal or  
16 mechanically attached, but shall be sufficiently recessed from  
17 the edge of the pedal, or of the reflector housing, to prevent  
18 contact of the reflector element with a flat surface placed in  
19 contact with the edge of the pedal. The pedal reflectors shall  
20 be visible from the front and rear of the bicycle during the  
21 nighttime from a distance of 200 feet when directly exposed to  
22 the lower beam head lamps of a motor vehicle.

23 (5) ~~(4)~~ A person shall not sell, offer for sale, or  
24 deliver for sale in this state a bicycle manufactured after  
25 January 1, 1976 ~~—~~ OR AN ELECTRIC PERSONAL ASSISTIVE MOBILITY  
26 DEVICE unless it is equipped with either tires which have  
27 reflective sidewalls or with wide-angle prismatic spoke

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1 reflectors. If the bicycle OR THE ELECTRIC PERSONAL ASSISTIVE  
2 MOBILITY DEVICE is manufactured with reflective sidewalls, the  
3 reflective portion of the sidewall shall form a continuous circle  
4 on the sidewall, and may not be removed from the tire without  
5 removal of tire material. If the bicycle is equipped with  
6 wide-angle prismatic spoke reflectors, the reflectors of the  
7 front wheel shall be essentially colorless or amber, and the  
8 reflectors on the rear wheel shall be essentially colorless or  
9 red. Reflective sidewalls or spoke reflectors shall cause the  
10 bicycle to be visible from all distances from 100 feet to 600  
11 feet when viewed under lawful low beam motor vehicle head lamps  
12 under normal atmospheric conditions.

13 (6) ~~-(5)-~~ A person who violates subsection (1) or (2) is  
14 responsible for a civil infraction.