

Michigan Motorcycle Laws

Guide for Law Enforcement Officers

Motorcycle means every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than 3 wheels in contact with the ground but excluding a tractor. **MCL 257.31.**

Moped means a 2- or 3-wheeled vehicle to which is equipped with a motor that does not exceed 100 cubic centimeters piston displacement, cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface, and its power drive system does not require the operator to shift gears. **MCL 257.32b.**

Autocycle means an enclosed motorcycle that is equipped with safety belts, rollbar, windshield wipers, steering wheel, and equipment otherwise required on a motorcycle, and which has not more than 3 wheels in contact with the roadway at any one time. **MCL 257.25a.**

ENDORSEMENTS AND TEMPORARY INSTRUCTION PERMITS

Operating with a Temporary Instruction Permit (TIP). A person with a TIP may operate a motorcycle for a period of 180 days and must:

- Carry the permit.
- Be under the constant visual supervision of a licensed motorcycle operator who is at least 18 years of age.
- Not operate the motorcycle at night.
- Not operate the motorcycle with a passenger.

A person shall not be eligible for more than two (2) TIPs in a 10-year period. **MCL 257.306(5).**

Motorcycle Endorsement. A person, before operating a motorcycle, other than an autocycle, upon a public street or highway in this state, shall procure a motorcycle endorsement on his or her operator's or chauffeur's license. **MCL 257.312a(1).**

A person who violates subsection (1) is guilty of a misdemeanor punishable as follows:

- For a first violation, by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.
- For a violation that occurs after a prior conviction, by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

3-Wheeled Motorcycle. A motorcycle endorsement issued to a person who operates a 3-wheeled motorcycle other than an autocycle is restricted to operation of that type of motorcycle and does not permit operation of a 2-wheeled motorcycle. **MCL 257.312b(3).**

CIVIL INFRACTIONS SPECIFIC TO MOTORCYCLES

Parents or Guardians. The parent or guardian of a minor shall not authorize or knowingly permit the child to violate the laws applicable to motorcycles. **MCL 257.656.**

Helmet use; Motorcycle Operators - A motorcycle operator is required to wear an approved crash helmet unless he or she:

- Is at least 21 years old,
- Has at least \$20,000 in first-party medical benefits insurance in effect, and
- Has held a motorcycle endorsement for at least two years, or has passed an approved motorcycle safety course.

MCL 257.658(5).

Helmet use; Motorcycle Passengers - A motorcycle passenger is required to wear an approved crash helmet unless he or she:

- Is at least 21 years old, and
- Has at least \$20,000 in first-party medical benefits insurance in effect in addition to the insurance that is required of the motorcycle operator. **MCL 257.658(5).**

Helmet use; Moped - A moped operator less than 19 years of age shall wear a crash helmet. **MCL 257.658(4).**

Crash Helmet Standards - When required, all helmets must meet the U.S. Department of Transportation (DOT) standards. **Mich. Admin. Code, R 28.951**

Riding on Seat of Motorcycle; Multiple Riders. (1)

A motorcycle operator must ride upon and astride a permanent and regular seat attached to that vehicle. (2)

A motorcycle or moped shall not be used to carry more persons at one time than the number for which it is designed and equipped. **MCL 257.658.**

Seats and Foot Rests. A motorcycle shall be equipped with adequate seats and securely attached foot rests or pegs for each designated seating position. Unless unable to do so because of a permanent physical disability, a passenger shall not ride on a motorcycle unless his or her feet can rest on the assigned foot rests or pegs. **MCL 257.658a(1).**

Carrying Packages. A moped or motorcycle operator shall not carry any package, bundle, or article that prevents the driver from keeping both hands upon the handlebars of the vehicle. **MCL 257.661.**

Handlebars of Motorcycle. A person shall not operate a motorcycle or moped equipped with handlebars that are higher than 15 inches from the lowest point of the undepressed saddle to the highest point of the handle grips. **MCL 257.661a.**

Limited Access Highways. A person shall not operate a motorcycle with less than a 125 cubic centimeter engine or moped on a limited access highway. **MCL 257.679a.**

Windshields, Goggles, Eyeglasses or Face Shields. A person operating a motorcycle in excess of 35 miles per hour that is not equipped with a windshield, shall wear transparent goggles, eyeglasses, or a face shield, that is shatter resistant, protecting their eyes against airborne materials and other road debris. **MCL 257.708a.**

LIGHTING AND EQUIPMENT

- Head lamps/modulatorsMCL257.685**
- Clearance / marker lamps and reflectorsMCL257.689**
- Spot lamps and fog lampsMCL257.696**
- Rear stop lamps MCL257.697b**
- Side, fender, running, courtesy,
backing lamps and reflectorsMCL257.698**
- Brake equipment.....MCL257.705**
- Horn or other warning deviceMCL257.706**
- Muffler, engine, and exhaust systemMCL257.707**
- Noise limitations; prohibitionsMCL257.707c**
- Mirrors.....MCL257.708**
- TiresMCL257.710**

GENERAL "RULES OF THE ROAD"

- Fail to Yield Right-of-WayMCL 257.649**
- Fail to Yield- Left at IntersectionMCL 257.650**
- Fail to Stop - Leaving Private DriveMCL 257.662**
- Disobey Stop, Yield, or Merge Sign..... MCL 257.671**
- Disobey Traffic Control SignalsMCL 257.612**
- Disobey Flashing SignalsMCL 257.614**
- OWIMCL 257.625**
- Reckless DrivingMCL 257.626**
- Drag Racing.....MCL 257.626a**
- Careless Driving..... MCL 257.626b**
- Speeding MCL 257.627**
- Impeding Traffic..... MCL 257.676b**

Identifying Impaired Motorcycle Riders

Reference Guide for Law Enforcement Officers

The National Highway Traffic Safety Administration has identified several indicators that can help you detect when a motorcycle rider is impaired.

EXCELLENT INDICATORS

Predict impairment at least 50 percent of the time

- Turning problems
 - ~ Drifting
 - ~ Unsteady
 - ~ Delayed braking
 - ~ Improper lean angle
 - ~ Erratic movements
- Inattentive to surroundings
- Weaving
- Trouble with dismount
- Trouble with balance at a stop
- Inappropriate or unusual behavior

GOOD INDICATORS

Predict impairment at least 30-50 percent of the time

- Erratic movements while riding straight
- Operating without lights at night
- Recklessness
- Following too closely
- Running a stoplight or stop sign
- Evasion

KEEP IN MIND

- Riders often weave to avoid bumps and road hazards.
- Swaying may be the result of slowing, accelerating, or wind.



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