MICHIGAN BICYCLIST LAWS

Guide for Law Enforcement Officers

DEFINITIONS

Bicycle. MCL 257.4
"Bicycle" means a device propelled by human power upon which a person may ride, having either 2 or 3 wheels in a tandem or tricycle arrangement, all of which are over 14 inches in diameter.

Highway or street. MCL 257.20
"Highway or street" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

RIGHTS AND DUTIES OF BICYCLISTS

Rights and Duties of Bicyclists. MCL 257.657
Each person riding a bicycle upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle except as to the provisions which by their nature do not have application.

CIVIL INFRACTIONS SPECIFIC TO BICYCLISTS

Signals for Stopping or Turning. MCL 257.648
The operator of a bicycle upon a highway, before stopping or turning from a direct line shall first determine that the stopping or turning can be made in safety and shall give a signal as required.

Keep Right. MCL 257.660a
A person operating a bicycle upon a highway or street at less than the existing speed of traffic shall ride as close as practicable to the right-hand curb or edge of the roadway except as follows:

1. When overtaking and passing;
2. When preparing to turn left;
3. When conditions make the right-hand edge of the roadway unsafe or reasonably unusable by bicycles;
4. When traffic is turning right but the individual intends to go straight through the intersection;
5. When riding as near the left-hand curb or edge as practicable on a one-way highway or street.

Multiple Riders. MCL 257.658(2)
A bicycle shall not be used to carry more persons at one time than the number for which it is designed and equipped.

Riding While Attached to a Vehicle. MCL 257.659
A person riding upon a bicycle shall not attach the same or himself to a vehicle upon a roadway.

Michigan Bicyclist Laws

CIVIL INFRACTIONS SPECIFIC TO BICYCLISTS

Riding More Than Two Abreast. MCL 257.660b
Individuals operating bicycles upon a highway or street shall not ride more than two abreast except upon a path or portion of the highway or street set aside for the use of bicycles.

Limited Access Highways. MCL 257.679a
Bicycles shall not be permitted on a limited access highway in this state except for paths designated for the exclusive use of bicycles.

Operating on Sidewalks. MCL 257.660c
Unless prohibited by an official traffic control device, an individual may operate a bicycle upon a sidewalk or a pedestrian crosswalk but shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian and has all of the rights and responsibilities applicable to a pedestrian using that sidewalk or crosswalk.

Carrying Packages. MCL 257.661
A person operating a bicycle shall not carry any package, bundle, or article that prevents keeping both hands upon the handlebars.

Lights and Reflectors. MCL 257.662(1)
A bicycle being operated between 1/2 hour after sunset and 1/2 hour before sunrise shall be equipped with an appropriate white lamp on the front and a red reflector (or a red reflector with a red light) on the rear.

Brakes. MCL 257.662(2)
A bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

Parents or Guardians. MCL 257.656(2)
The parent or guardian of a minor shall not authorize or knowingly permit the child to violate applicable laws.

CIVIL INFRACTIONS SPECIFIC TO MOTORISTS

Three-Foot Passing Law. MCL 257.636(2)(3)
The driver of a motor vehicle overtaking a bicycle proceeding in the same direction shall pass at a safe distance of at least 3 feet to the left of that bicycle or, if it is impracticable to pass the bicycle at a distance of 3 feet to the left, at a safe distance to the left of that bicycle at a safe speed, and when safely clear of the overtaken bicycle shall take up a position as near the right-hand edge of the main traveled portion of the highway as is practicable. Notwithstanding section 640, if it is safe to do so, the driver of a vehicle overtaking a bicycle proceeding in the same direction may overtake and pass the bicycle in a no-passing zone.

Bicycle Racks on Vehicles. MCL 257.225(2)
A registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which the plate is issued so as to prevent the plate from swinging. The plate shall be attached at a height of not less than 12 inches from the ground, measured from the bottom of the plate, in a place and position that is clearly visible. The plate shall be maintained free from foreign materials that obscure or partially obscure the registration information and in a clearly legible condition. The attachment to the rear of a vehicle of a tow ball, bicycle rack, removable hitch, or any other device designed to carry an object on the rear of a vehicle, including the object being carried, does not violate this subsection.

Michigan Bicyclist Laws

CIVIL INFRACTIONS SPECIFIC TO MOTORISTS

Following a Bicyclist (Basic Speed Law). MCL 257.627(1) 8-2021
A person shall not operate a vehicle upon a highway at a speed greater than that which will permit a stop within the assured, clear distance ahead.

Uniform Traffic Code. MCL 257.951
A city, township, or village can adopt the uniform traffic code into local ordinance for the regulation of traffic in their cities, townships, or villages. Law enforcement officers should familiarize themselves with their local codes and ordinances related to bicyclist safety. While the Michigan State Police promulgates the Uniform Traffic Code, the rules are not enforceable unless the local municipality has adopted the code into local code or ordinance.

GENERAL "RULES OF THE ROAD" FOR BICYCLISTS

Based on the particular facts and circumstances, certain provisions of the Michigan Vehicle Code, 1949 PA 300, which set forth the "rules of the road" for vehicles in general, may be applicable to bicyclists. Such possible offenses include, but are not limited to, the following:

Careless Driving. MCL 257.626b

Disobey Stop, Yield, or Merge Sign. MCL 257.671

Disobey Traffic Signal. MCL 257.612, MCL 257.614

Fail to Yield Right-of-Way. MCL 257.649

Fail to Yield-Left at Intersection. MCL 257.650

Fail to Stop-Leaving Private Drive. MCL 257.652

Impeding Traffic*. MCL 257.676b

*Note: A bicyclist otherwise operating lawfully at less than the existing speed of traffic that "keeps right" as required by MCL 257.660a is not impeding the normal flow of traffic.

MICHIGAN MOTORCYCLIST LAWS

Guide for Law Enforcement Officers

DEFINITIONS

Motorcycle. MCL 257.31
"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.

Moped. MCL 257.32b
"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.

Autocycle. MCL 257.25a
"Autocycle" means a motorcycle that is equipped with safety belts, rollbar or roll hoops, handlebars or a steering wheel, and equipment otherwise required on a motorcycle, has not more than 3 wheels in contact with the roadway at any 1 time, and is not equipped with a straddle seat.

ENDORSEMENTS AND TEMPORARY INSTRUCTION PERMITS

Operating with a Temporary Instruction Permit (TIP). MCL 257.306(5)
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 TIPs in a 10-year period. MCL 257.312a(1)

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. A person who fails to do so is responsible for a civil infraction or guilty of a misdemeanor punishable as follows:

- For a first violation, the individual is responsible for a civil infraction and shall be ordered to pay a civil fine of not more than $250.00.
- For a violation that occurs after 1 or more prior judgments, the individual is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $500.00, or both.

3-Wheeled Motorcycle. MCL 257.312b(3)
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.

Michigan Motorcyclist Laws

CIVIL INFRACTIONS SPECIFIC TO MOTORCYCLES

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

Helmet use; Motorcycle Operators. MCL 257.658(5)
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.

Helmet use; Motorcycle Passengers. MCL 257.658(5)
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.

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

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

Riding on Seat of Motorcycle; Multiple Riders. MCL 257.658
(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.

Seats and Foot Rests. MCL 257.658a(1)
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.

Carrying Packages. MCL 257.661
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.

Handlebars of Motorcycle. MCL 257.661a
A person shall not operate a motorcycle or moped equipped with handlebars that are higher than 30 inches from the lowest point of the undepressed saddle to the highest point of the handle grips.CIVIL INFRACTIONS SPECIFIC TO Motorcyclists

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

Windshields, Goggles, Eyeglasses or Face Shields. MCL 257.708a
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.

Michigan Motorcyclist Laws

LIGHTING AND EQUIPMENT

Brake equipment. MCL 257.705

Clearance/marker lamps and reflectors. MCL 257.689

Head lamps/modulators. MCL 257.685

Horn or other warning device. MCL 257.706

Mirrors. MCL 257.708

Muffler, engine, and exhaust system. MCL 257.707

Noise limitations; prohibitions. MCL 257.707c

Rear stop lamps. MCL 257.697b

Side, fender, running, courtesy, backing lamps and reflectors. MCL257.698

Spot lamps and fog lamps. MCL257.696

Tires. MCL257.710

GENERAL "RULES OF THE ROAD"

Careless Driving. MCL 257.626b

Disobey Flashing Signals. MCL 257.614

Disobey Stop, Yield, or Merge Sign. MCL 257.671

Disobey Traffic Control Signals. MCL 257.612

Drag Racing. MCL 257.626a

Fail to Yield Right-of-Way. MCL 257.649

Fail to Stop - Leaving Private Drive. MCL 257.662

Fail to Yield- Left at Intersection. MCL 257.650

Impeding Traffic. MCL 257.676b

Lane Splitting/Passing. MCL 257.660(5)

Operating While Intoxicated. MCL 257.625

Reckless Driving. MCL 257.626

Speeding. MCL 257.627

Michigan Motorcyclist Laws

IDENTIFYING IMPAIRED MOTORCYCLE RIDERS

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.

MICHIGAN PEDESTRIAN LAWS

Guide for Law Enforcement Officers

DEFINITIONS

Pedestrian. MCL 257.39
"Pedestrian" means any person afoot. Pedestrian includes an individual with a mobility disability who is using a power-driven mobility device.

On the UD-10 Traffic Crash Report, "Pedestrian" means a person on foot; person on skis, skates, or roller blades; rider of a horse; horse and buggy (each occupant, including the driver, will be listed as a separate pedestrian unit); nonmotorized wheelchair.
UD-10 Traffic Crash Report Instructional Manual v.1.4

Highway or street. MCL 257.20
"Highway or street" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

CIVIL INFRACTIONS SPECIFIC TO PEDESTRIANS

Limited Access Highways. MCL 257.679a
A pedestrian or other nonmotorized traffic shall not be permitted on a limited access highway in this state.

Don't Walk (Steady Burning or Flashing) Interval. MCL 257.613(2)(b)
A pedestrian shall not start to cross the highway in the direction of the signals, but a pedestrian who has partially completed crossing on the walk interval of the signal shall proceed to a sidewalk or safety island while the don't walk interval of the signal is showing.

Sidewalk Use and Walking Left Facing Traffic. MCL 257.655
Where sidewalks are provided, a pedestrian shall not walk upon the main traveled portion of the highway. Where sidewalks are not provided, pedestrians shall, when practicable, walk on the left side of the highway facing traffic which passes nearest.

Blind Pedestrian. MCL 752.52(2)
A blind pedestrian who does not carry a cane or use a dog guide or walker has all of the rights and privileges conferred upon any other pedestrian by the laws of this state. The failure of a blind pedestrian to carry a cane or use a dog guide or walker shall not be treated as evidence of negligence in a civil action for injury to the blind pedestrian or for the blind pedestrian's wrongful death.

Impeding Traffic. MCL 257.676(1)
A person, without authority, shall not block, obstruct, impede, or otherwise interfere with the normal flow of vehicular or pedestrian traffic upon a public street or highway in this state, by means of a barricade, object, or device, or with his or her person. This section does not apply to persons maintaining, rearranging, or constructing public utility facilities in or adjacent to a street or highway.

Michigan Pedestrian Laws

CIVIL INFRACTIONS SPECIFIC TO MOTORISTS

Yield to Pedestrians. MCL 257.612
Whether the signal is green, steady yellow or red, the vehicular traffic shall yield the right-of-way to pedestrians and bicyclists lawfully within the intersection or an adjacent crosswalk.

Stop Before a Crosswalk. MCL 257.612(1)(c)(i)
Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection or at a limit line when marked or, if there is no crosswalk or limit line, before entering the intersection and shall remain standing until a green indication is shown.

Violation of the Basic Speed Law (VBSL). MCL 257.627(1)
A person operating a vehicle on a highway shall operate that vehicle at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other condition existing at the time. A person shall not operate a vehicle upon a highway at a speed greater than that which will permit a stop within the assured, clear distance ahead. (Note: the MJI Traffic Benchbook specifically references a condition to consider: traffic volume of pedestrians).

Improper Turn. MCL 257.647
When markers, signs, or signals are so placed, a driver of a vehicle shall not turn a vehicle at an intersection other than as directed and required by those markers, signs, or signals.

Blind Pedestrians at Crossings. MCL 752.52
A driver of a vehicle shall not approach a crosswalk or any other pedestrian crossing without taking all necessary precautions to avoid accident or injury to a blind pedestrian carrying a cane or using a dog guide or walker.

Reporting a Crash. MCL 257.622
The driver of a motor vehicle involved in an accident that injures or kills any person, or that damages property to an apparent extent totaling $1,000.00 or more, shall immediately report that accident at the nearest or most convenient police station, or to the nearest or most convenient police officer.

MISDEMEANORS SPECIFIC TO MOTORISTS

Handicapped Pedestrians at Crossings. MCL 257.612(4)
A vehicle operator who approaches a person using a wheelchair or a device to aid the person to walk at a crosswalk or any other pedestrian crossing shall take necessary precautions to avoid accident or injury to the person using the wheelchair or device.

Michigan Pedestrian Laws

GENERAL "RULES OF THE ROAD" FOR PEDESTRIANS & MOTORISTS

Identification when Stopped. MCL 257.324(1)(h)
A person shall not furnish to a peace officer false, forged, fictitious, or misleading verbal or written information identifying the person as another person, if the person is detained for a violation of this act or of a local ordinance substantially corresponding to a provision of this act. While it is not a requirement to have a driver license as a pedestrian, law enforcement officers in the State of Michigan may stop and detain for purposes of identification any person when there is a reasonable suspicion that a crime or violation has been committed. This applies to any law or section of the Michigan Vehicle Code.

Authority to stop, detain, and issue civil infractions. MCL 257.742(1)
A police officer who witnesses a person violating this act or a local ordinance substantially corresponding to this act, which violation is a civil infraction, may stop the person, detain the person temporarily for purposes of making a record of vehicle check, and prepare and subscribe, as soon as possible and as completely as possible, an original and 3 copies of a written citation, which shall be a notice to appear in court for 1 or more civil infractions.