

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 a motorcycle that is equipped with safety belts, rollbar or roll hoops, 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. **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 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. 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.

MCL 257.312a(1).

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 30 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 equipmentMCL257.705
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-Way MCL 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
OWI MCL 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.



Office of Highway Safety Planning

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