



TRAFFIC SERVICES SECTION TRAFFIC LAW UPDATE

Motorcycle Helmet Law

Several challenges to Michigan's motorcycle helmet law have created a misconception about the legal requirement to wear a helmet.

A motorcyclist in Michigan has been and continues to be required to wear a D.O.T.-approved motorcycle helmet on his or her head when operating a motorcycle or when riding as a passenger on a motorcycle. This applies to all highways, roads, streets, and other thoroughfares in Michigan.

The court challenges to this law were based upon a perceived technical flaw in the old administrative rule that deals with what types of helmets were approved, not if a helmet needed to be worn. As of July 27, 2000, a new administrative rule took effect that has rectified this issue. For more information, please visit the Michigan Department of State Police Motorcycle Helmet Law website at the following address:

<http://www.msp.state.mi.us/division/tss/helmet.htm>

New Michigan Vehicle Laws

Pickup Truck Bed Riders

Beginning March 28, 2001, persons under age 18 may no longer legally ride in the open bed of a pickup truck traveling more than 15 miles per hour. The driver of the vehicle will be held responsible for the violation.

The following exceptions apply to this law:

- A vehicle operated as part of a parade permitted by the local government
- A military vehicle
- An authorized emergency vehicle
- A vehicle used to transport a search and rescue team to and from an emergency site
- A vehicle controlled or operated by an employer or an employee of a farm operation, construction business, or similar enterprise during the course of work activities

Emergency Vehicle Caution

Also beginning March 28, 2001, upon approaching a stationary emergency vehicle with its emergency lights activated, the operator of a vehicle must carefully move into an open lane, at least one lane away from the emergency vehicle if possible. If this is not possible, the operator must slow and pass with caution, allowing the emergency vehicle as much space as possible.

A person found responsible for violating this new law is guilty of a misdemeanor and is subject to enhanced penalties of up to 15 years in prison and/or a \$7,500 fine if the violation causes the death of a police officer, firefighter, or other emergency response personnel.

* This document is a publication of the Michigan Department of State Police. The above is intended as a summary only of the referenced traffic laws. A complete text of the laws listed above is on the reverse side. Questions may be directed to Sgt. Thad V. Peterson, Traffic Services Section, at (517) 336-6660.



New Michigan Vehicle Code Sections

Pickup Truck Bed Rider (effective March 28, 2001)

Sec. 682b.

- (1) Except as provided in this section, an operator shall not permit a person less than 18 years of age to ride in the open bed of a pickup truck on a highway, road, or street in a city, village, or township at a speed greater than 15 miles per hour.
- (2) Subsection (1) does not apply to the operator of any of the following:
 - a. A motor vehicle operated as part of a parade pursuant to a permit issued by the governmental unit with jurisdiction over the highway or street.
 - b. A military motor vehicle.
 - c. An authorized emergency vehicle.
 - d. A motor vehicle controlled or operated by an employer or an employee of a farm operation, construction business, or similar enterprise during the course of work activities.
 - e. A motor vehicle used to transport a search and rescue team to and from the site of an emergency.
- (3) A person who violates this section is responsible for a civil infraction.

Emergency Vehicle Caution (effective March 28, 2001)

Sec. 653a.

- (1) Upon approaching and passing a stationary authorized emergency vehicle that is giving a visual signal by means of flashing, rotating, or oscillating red, blue, or white lights as permitted by section 698, the driver of an approaching vehicle shall exhibit due care and caution, as required under the following:
 - a. On any public roadway with at least 2 adjacent lanes proceeding in the same direction of the stationary authorized emergency vehicle, the driver of the approaching vehicle shall proceed with caution and yield the right-of-way by moving into a lane at least 1 moving lane or 2 vehicle widths apart from the stationary authorized emergency vehicle, unless directed otherwise by a police officer. If movement to an adjacent lane or 2 vehicle widths apart is not possible due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic in parallel moving lanes, the driver of the approaching vehicle shall proceed as required in subdivision (b).
 - b. On any public roadway that does not have at least 2 adjacent lanes proceeding in the same direction as the stationary authorized emergency vehicle, or if the movement by the driver of the vehicle into an adjacent lane or 2 vehicle widths apart is not possible as described in subdivision (a), the approaching vehicle shall reduce and maintain a safe speed for weather, road conditions, and vehicular or pedestrian traffic and proceed with due care and caution, or as directed by a police officer.
- (2) Except as provided in subsections (3) and (4), a person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both.
- (3) A person who violates this section and causes injury to a police officer, firefighter, or other emergency response personnel in the immediate area of the stationary authorized emergency vehicle is guilty of a felony punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 2 years, or both.
- (4) A person who violates this section and causes death to a police officer, firefighter, or other emergency response personnel in the immediate area of the stationary authorized emergency vehicle is guilty of a felony punishable by a fine of not more than \$7,500.00 or by imprisonment for not more than 15 years, or both.