

SENATE BILL No. 1389

September 14, 2004, Introduced by Senator McMANUS and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 660 (MCL 257.660), as amended by 2002 PA 494.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 660. (1) A person operating a bicycle, electric
2 personal assistive mobility device, low-speed vehicle, or moped
3 upon a roadway shall ride as near to the right side of the
4 roadway as practicable, exercising due care when passing a
5 standing vehicle or one proceeding in the same direction. A
6 motorcycle is entitled to full use of a lane and a motor vehicle
7 shall not be driven in such a manner as to deprive a motorcycle
8 of the full use of a lane. This subsection ~~shall~~ **does** not
9 apply to motorcycles operated 2 abreast in a single lane.

10 (2) A person riding ~~a bicycle,~~ **an** electric personal

1 assistive mobility device, motorcycle, or moped upon a roadway
2 shall not ride more than 2 abreast except on a path or part of a
3 roadway set aside for the exclusive use of those vehicles. **A
4 person riding a bicycle shall not ride abreast of another person
5 riding a bicycle, electric personal assistive mobility device,
6 motorcycle, or moped, except as otherwise provided by state law
7 or local ordinance.**

8 (3) ~~Where~~ **If** a usable and designated path for bicycles is
9 provided adjacent to a roadway, a bicycle rider or an electric
10 personal assistive mobility device operator may, by local
11 ordinance, be required to use that path. ~~Where~~ **If** a usable and
12 designated path for bicycles is provided adjacent to a roadway, a
13 bicycle rider who is less than 16 years of age shall use that
14 path unless accompanied by an adult.

15 (4) A person operating a motorcycle, moped, low-speed
16 vehicle, electric personal assistive mobility device, or bicycle
17 shall not pass between lines of traffic, but may pass on the left
18 of traffic moving in his or her direction in the case of a 2-way
19 street, or on the left or right of traffic in the case of a 1-way
20 street, in an unoccupied lane.

21 (5) A person operating a bicycle or an electric personal
22 assistive mobility device on a sidewalk constructed for the use
23 of pedestrians shall yield the right of way to a pedestrian and
24 shall give an audible signal before overtaking and passing the
25 pedestrian.

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

1 (7) A low-speed vehicle shall be operated at a speed of not
2 to exceed 25 miles per hour and shall not be operated on a
3 highway, road, or street with a speed limit of more than 35 miles
4 per hour except for the purpose of crossing that highway, road,
5 or street. The state transportation department may prohibit the
6 operation of a low-speed vehicle on any highway under its
7 jurisdiction if it determines that the prohibition is necessary
8 in the interest of public safety.

9 (8) This section ~~shall~~ **does** not apply to a police officer
10 in the performance of his or her official duties.

11 (9) An electric personal assistive mobility device shall be
12 operated at a speed not to exceed 15 miles per hour and shall not
13 be operated on a roadway with a speed limit of more than 25 miles
14 per hour except to cross that roadway.

15 (10) The governing body of a county, city, village, an entity
16 created under the urban cooperation act of 1967, 1967 (Ex Sess)
17 PA 7, MCL 124.501 to 124.512, or township may, by ordinance ~~—~~
18 ~~which~~ **that** is based on the health, safety, and welfare of the
19 citizens, regulate the operation of electric personal assistive
20 mobility devices on sidewalks, roadways, or crosswalks. Except
21 as otherwise provided in this subsection, a governing body of a
22 county, city, village, an entity created under the urban
23 cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to
24 124.512, or township may prohibit the operation of electric
25 personal assistive mobility devices in an area open to pedestrian
26 traffic adjacent to a waterfront or on a trail under ~~their~~ **its**
27 jurisdiction or in a downtown or central business district.

1 Signs indicating the regulation shall be conspicuously posted in
2 the area where the use of an electric personal assistive mobility
3 device is regulated.

4 (11) Operation of an electric personal assistive mobility
5 device is prohibited in a special charter city and a state park
6 under the jurisdiction of the Mackinac Island state park
7 commission.

8 (12) Operation of an electric personal assistive mobility
9 device may be prohibited in a historic district.

10 (13) The department of natural resources may by order
11 regulate the use of electric personal assistive mobility devices
12 on all lands under its control.