

Legislative Analysis



MOTORCYCLE HELMET LAW: APPLY ONLY TO THOSE UNDER 21

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4608

Sponsor: Rep. Peter Pettalia

Committee: Transportation

Complete to 9-13-11

A SUMMARY OF HOUSE BILL 4608 AS INTRODUCED 5-4-11

Currently, a person operating or riding on a motorcycle must wear a crash helmet approved by the Department of State Police.

House Bill 4608 would amend the Michigan Vehicle Code (MCL 257.658) to specify that individuals 21 years of age and older operating or riding on a motorcycle would not be required to wear a crash helmet if they had a motorcycle endorsement on their operator's or chauffeur's license for at least two years or they had passed a motorcycle safety course conducted under Section 811A or 811b of the code. A person under 21 years of age would still be required to wear a crash helmet when operating or riding on a motorcycle

[The requirement that an individual less than 19 years of age must wear a crash helmet if operating a moped on a public thoroughfare would remain unchanged.]

FISCAL IMPACT:

In discussing similar bills in previous legislative sessions, it was estimated that both the state and local units of government could experience increased operational costs due to increased insurance premiums. The state could also experience additional costs in the Medicaid program. This bill relaxes the requirements for crash helmet use and it is expected that injuries and fatalities would increase as a result of lower helmet use. With the potential for more injuries, the expectation is that insurance costs may go up and Medicaid assistance would increase. Also, by eliminating the requirement for operators of motorcycles 21 and over to wear crash helmets, local and state law enforcement would no longer be able to issue tickets for operation of a motorcycle without a helmet. When tickets are written under statute, the civil fine revenue goes to libraries. If the ticket is written under local ordinance, the civil fine revenue is split between the local court funding unit and the local government.

Legislative Analyst: E. Best
Fiscal Analyst: Ben Gielczyk
Steve Stauff

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.