

SENATE BILL No. 404

June 16, 2015, Introduced by Senators HUNE, SCHMIDT and KOWALL and referred to the Committee on Transportation.

A bill to provide protection from civil liability for the owners of property used for motorcycle safety training.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "motorcycle safety training civil liability act".

3 Sec. 2. As used in this act:

4 (a) "Motorcycle safety course" means a course conducted under
5 section 811a or 811b of the Michigan vehicle code, 1949 PA 300, MCL
6 257.811a and 257.811b.

7 (b) "Person" means an individual, partnership, corporation,
8 association, governmental entity, or other legal entity.

9 (c) "Personal injury" includes death.

10 (d) "Wanton misconduct" means conduct or a failure to act that
11 shows such indifference to whether harm will result as to be equal

1 to a willingness that harm will result.

2 (e) "Willful misconduct" means conduct or a failure to act
3 that was intended to harm the plaintiff.

4 Sec. 3. (1) The owner of property used for conducting a
5 motorcycle safety course is not liable for personal injury or
6 damage to personal property caused by the conducting of the
7 motorcycle safety course.

8 (2) This section does not apply if the injury or damage was
9 caused by the failure of the owner of property to warn against a
10 dangerous condition, use, structure, or activity of or on the
11 property that amounted to willful or wanton misconduct.

12 Enacting section 1. This act takes effect 90 days after the
13 date it is enacted into law.