

Michigan Vehicle Code provisions related to City of Ann Arbor proposed code amendments.

Section 1.

MCL 257.657. Each person riding a bicycle, electric personal assistive mobility device, or moped or operating a low-speed vehicle upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this article and except as to the provisions of this chapter which by their nature do not have application.

MCL 257.4 “Bicycle” defined. “Bicycle” means a device propelled by human power upon which a person may ride, having either 2 or 3 wheels in a tandem or tricycle arrangement, all of which are over 14 inches in diameter

Section 2.

MCL 257.660b Operation of bicycle upon highway or street; riding more than 2 abreast.

Two or more individuals operating bicycles upon a highway or street shall not ride more than 2 abreast except upon a path or portion of the highway or street set aside for the use of bicycles.

Section 3.

MCL 257.659 Riding while attached to streetcar or vehicle.

A person riding upon a bicycle, moped or motorcycle, coaster, roller skates, sled, or toy vehicle shall not attach the same or himself to a streetcar or vehicle upon a roadway.

Section 4.

MCL 257.658 Riding on seat of bicycle, motorcycle, or moped; number of persons; crash helmets; rules; requirements for autocycle.

- (1) A person propelling a bicycle or operating a motorcycle or moped shall not ride other than upon and astride a permanent and regular seat attached to that vehicle.
- (2) A bicycle or motorcycle shall not be used to carry more persons at 1 time than the number for which it is designed and equipped.

Section 5.

MCL 257.662 Bicycles or electric personal assistive mobility device; equipment; violation as civil infraction.

- (1) A bicycle or an electric personal assistive mobility device being operated on a roadway between 1/2 hour after sunset and 1/2 hour before sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.
- (2) A bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.
- (3) An electric personal assistive mobility device shall enable the operator to bring it to a controlled stop.
- (4) A person shall not sell, offer for sale, or deliver for sale in this state a bicycle or a pedal for use on a bicycle, either of which was manufactured after January 1, 1976, unless it is equipped with a type of reflex reflector located on the front and rear surfaces of the pedal. The reflector elements may be either integral with the construction of the pedal or mechanically attached, but shall be sufficiently recessed from the edge of the pedal, or of the reflector housing, to prevent contact of the reflector element with a flat surface placed in contact with the edge of the pedal. The pedal reflectors shall be visible from the front and rear of the bicycle during the nighttime from a distance of 200 feet when directly exposed to the lower beam head lamps of a motor vehicle.
- (5) A person shall not sell, offer for sale, or deliver for sale in this state a bicycle manufactured after January 1, 1976 or an electric personal assistive mobility device unless it is equipped with either tires which have reflective sidewalls or with wide-angle prismatic spoke reflectors. If the bicycle or the electric personal assistive mobility device is manufactured with reflective sidewalls, the reflective portion of the sidewall shall form a continuous circle on the sidewall, and may not be removed from the tire without removal of tire material. If the bicycle is equipped with wide-angle prismatic spoke reflectors, the reflectors of the front wheel shall be essentially colorless or amber, and the reflectors on the rear wheel shall be essentially colorless or red. Reflective sidewalls or spoke reflectors shall cause the bicycle to be visible

from all distances from 100 feet to 600 feet when viewed under lawful low beam motor vehicle head lamps under normal atmospheric conditions.

(6) A person who violates subsection (1) or (2) is responsible for a civil infraction.

Section 6.

MCL 257.660c Operation of bicycle upon sidewalk or pedestrian crosswalk.

(1) An individual operating a bicycle upon a sidewalk or a pedestrian crosswalk shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian.

(2) An individual shall not operate a bicycle upon a sidewalk or a pedestrian crosswalk if that operation is prohibited by an official traffic control device.

(3) An individual lawfully operating a bicycle upon a sidewalk or a pedestrian crosswalk has all of the rights and responsibilities applicable to a pedestrian using that sidewalk or crosswalk.

Section 7.

257.660d Parking bicycle on sidewalk, highway, or street.

(1) An individual may park a bicycle on a sidewalk except as prohibited by an official traffic control device.

(2) An individual shall not park a bicycle on a sidewalk in such a manner that the bicycle impedes the lawful movement of pedestrians or other traffic.

(3) An individual may park a bicycle on a highway or street at any location where parking is allowed for motor vehicles, may park at any angle to the curb or the edge of the highway, and may park abreast of another bicycle.

(4) An individual shall not park a bicycle on a highway or street in such a manner as to obstruct the movement of a legally parked motor vehicle.

(5) Except as otherwise provided in this section, an individual parking a bicycle on a highway or street shall do so in compliance with this act and any local ordinance.

Section 8.

257.660a Operation of bicycle upon highway or street; riding close to right-hand curb or edge of roadway; exceptions.

A person operating a bicycle upon a highway or street at less than the existing speed of traffic shall ride as close as practicable to the right-hand curb or edge of the roadway except as follows:

- (a) When overtaking and passing another bicycle or any other vehicle proceeding in the same direction.
- (b) When preparing to turn left.
- (c) When conditions make the right-hand edge of the roadway unsafe or reasonably unusable by bicycles, including, but not limited to, surface hazards, an uneven roadway surface, drain openings, debris, parked or moving vehicles or bicycles, pedestrians, animals, or other obstacles, or if the lane is too narrow to permit a vehicle to safely overtake and pass a bicycle.
- (d) When operating a bicycle in a lane in which the traffic is turning right but the individual intends to go straight through the intersection.
- (e) When operating a bicycle upon a 1-way highway or street that has 2 or more marked traffic lanes, in which case the individual may ride as near the left-hand curb or edge of that roadway as practicable.

Section 9.

The following language is from an internal memorandum addressed to the ALT Transportation Committee resulting in the recommendation to repeal this section:

...neither the Michigan vehicle code nor the UTC has a provision like 10:171.

However, subjectivity is often inescapable and, as you know bicyclists have the same duties as motorists, which includes:

“Each person riding a bicycle, electric personal assistive mobility device, or *moped* or operating a low-speed vehicle upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this article and except as to the provisions of this chapter which by their nature do not have application.” (MCL 257.657).

-- requiring operation of a vehicle to be "at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other condition then existing."
MCL 257.627(1)

-- prohibiting operation "in a careless or negligent manner likely to endanger any person or property." MCL 257.626b.

Section 10.

257.662 Bicycles or electric personal assistive mobility device; equipment; violation as civil infraction.

(2) A bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(3) An electric personal assistive mobility device shall enable the operator to bring it to a controlled stop.

Section 11. .

See Proposed Section 10:146.

Section 12.

“Each person riding a bicycle, electric personal assistive mobility device, or *moped* or operating a low-speed vehicle upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this article and except as to the provisions of this chapter which by their nature do not have application.” (MCL 257.657).

“(1) A person propelling a bicycle or operating a motorcycle or moped shall not ride other than upon and astride a permanent and regular seat attached to that vehicle. (MCL 257.658(1))

(2) A bicycle or *motorcycle* shall not be used to carry more persons at 1 time than the number for which it is designed and equipped. (MCL 257.658(2))

(3) A *moped*...shall not be used to carry more than 1 person at a time. (MCL 257.658(3))

(4) A person operating or riding on a *motorcycle*, and any person less than 19 years of age operating a *moped* on a public thoroughfare shall wear a crash helmet on his or her head...” (MCL257.658(4)).

“(1) A person operating a... *moped* upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. A *motorcycle* is entitled to full use of a lane , and a motor vehicle shall not be driven in such a manner as to deprive a motorcycle of the full use of a lane. This subsection does not apply to motorcycles operated 2 abreast in a single lane.

(2) A person riding a...*motorcycle*, or *moped* upon a roadway shall not ride more than 2 abreast except on a path or part of a roadway set aside for the exclusive use of those vehicles.” (MCL 257.660).

“A person operating a bicycle,...*moped, or motorcycle* 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).

“A motor vehicle shall not be operated on the public highways of this state unless it is equipped with a windshield of sufficient dimensions to protect the driver and occupants from insects, other airborne objects, and highway surface water and debris, when the motor vehicle is moving forward. A farm tractor, other implement of husbandry, and historic vehicles as defined in section 803a are exempt from this section. When a motorcycle operated on the public highways of this state in excess of 35 miles per hour is not equipped with a windshield, the operator shall wear goggles with transparent lenses or a transparent face shield or eyeglasses, which goggles, eyeglasses, or face shield shall be of shatter resistant material and of sufficient size to protect his eyes against insects, other airborne material, and highway surface water and debris.” (MCL 257.708a).