

Here We Go Again: Michigan HB 4028

A bill was introduced in the Michigan House on January 22, 2009, by democratic member Richard LeBlanc (District 18, Westland, Wayne County) that would abolish Michigan's all-rider motorcycle helmet law.

Currently, the section of the law being modified reads

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.

The words being stricken by HB 4028 are "operating or riding on a motorcycle, and any person"; therefore, HB 4028 would amend the law to read

A person less than 19 years of age operating a moped on a public thoroughfare shall wear a crash helmet on his or her head.

New language being inserted immediately thereafter is "A person operating or riding on a motorcycle may, but is not required to, wear a crash helmet on his or her head."

These two changes, striking part of an existing line and adding this new line, constitute the full bill.

It would appear that in the rush to get a bill introduced to repeal Michigan's current all-rider motorcycle helmet law, Rep. LeBlanc is proposing that a person less than 19 years of age operating a moped *is* required to wear a helmet, but that a person *of any age* riding a motorcycle is not.

The Skilled Motorcyclist Association—Responsible, Trained and Educated Riders, Inc. (SMARTER at www.smarter-usa.org) does not believe that weakening or repealing Michigan's current law is smart. In fact, legislation that allows young motorcycle riders, whether they be operators or unwitting passengers, to ride without helmets yet requires those same youngsters riding mopeds to wear helmets can only be classified as dumb.

The bill was referred to the Committee on Regulatory Reform; however, at the time of this writing, committee assignments for 2009 had not been made.