



**House
Legislative
Analysis
Section**

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MOTORCYCLE SAFETY COURSES

RECEIVED

House Bill 4475 as enrolled
Second Analysis (6-30-87)

JUL 16 1987

Sponsor: Rep. Curtis Hertel Mich. State Law Library
House Committee: Transportation
Senate Committee: State Affairs, Tourism and
Transportation

THE APPARENT PROBLEM:

People under 18 years of age who want a motorcycle indorsement must pass a motorcycle safety course before they can take the required written exam and road test administered by the Secretary of State's office. This also applies to people over that age who have twice failed the Secretary of State's examination. Some people have complained that this imposes a hardship because motorcycle safety courses are not always readily available (particularly in winter months, which have been described as prime sales periods for motorcycle dealers). This leads to a reduction in sales for dealers or to teenagers refusing to wait for the courses to become available and instead biking illegally. Safety courses are now only offered by public sector agencies (school districts, colleges, sheriff's departments, etc.) and, under Department of Education policies, usually require several days. If the private sector could offer safety courses, and if abbreviated courses could be offered to people with some bike riding experience, the availability problem would be ameliorated.

Applicants for a driver's license who have passed a public school driver education course need not take the road test to get the license. It would be consistent if applicants for motorcycle indorsements who had completed motorcycle safety courses could be excused from the state motorcycle road test.

THE CONTENT OF THE BILL:

The bill would amend the Vehicle Code in the following ways.

- A person 18 years of age or older who successfully completed a motorcycle safety course would not have to take a motorcycle driving test, provided the safety course skills test met or exceeded the level of the skills test of the Department of State.
- Private businesses would be allowed to conduct motorcycle safety courses of the kind mandatory for people under 18 and for people over that age who twice failed the examination for a motorcycle indorsement. The State Board of Education would promulgate rules providing standards for such courses. At present, the courses can be taught by colleges and universities, intermediate school districts, local school districts, law enforcement agencies, and other governmental agencies. There is a maximum \$25 fee for public sector courses. (Public courses receive additional funding through the Department of Education budget from revenue received from vehicle registration fees and indorsement fees.) The bill would not set fees or provide funding for private sector courses.
- An eight-hour motorcycle safety course meeting State Board of Education standards could be offered to applicants who had passed a motorcycle operator skill

test approved by the state board. A person aged 18 or over who successfully completed the eight-hour course would not have to take the motorcycle driving test.

- The auditor general would be required to conduct an annual audit of the Motorcycle Safety Fund to determine compliance with fee collection and expenditure requirements. A copy of the audit would have to be sent to the legislature.
- The Superintendent of Public Instruction would have to designate someone who had successfully completed a motorcycle safety chief instructor course to perform annual inspections of motorcycle course sites.

(NOTE: The bill would also delete language that says "motorcycle courses conducted under this section shall be paid for by funds provided for under this act . . .")

MCL 257.312b

FISCAL IMPLICATIONS:

The Senate Fiscal Agency has said the bill would have no fiscal impact on state or local government. (6-10-87)

ARGUMENTS:

For:

The bill proposes to increase the availability and convenience of motorcycle safety courses in two ways: 1) by providing abbreviated safety courses to people who can pass a skills test equivalent to a Secretary of State road test; and 2) by allowing the private sector to offer safety courses in addition to the schools and law enforcement agencies that are allowed to offer them now. In both cases, the activities would have to follow Department of Education guidelines. Courses would have to use qualified instructors and appropriate facilities, and graduates would have to demonstrate a specific set of competencies. It should be noted that private entities can provide driver education classes, so it would seem only fair to allow them to provide motorcycle education classes as well.

Response: While not opposing the bill, motorcycle safety officials defend the availability record of safety courses. It is true that safety courses are not available in the winter months (only from April to September), but that is because those are not practical months for riding a motorcycle or conducting outdoor classes. Facilities for indoor classes are not available or are too expensive. Classes are conducted at 65 sites around the state by school districts, community colleges, four-year colleges, sheriff's departments, and others. Mobile programs travel to sites where there is demand for special offerings.

For:

People who have successfully completed motorcycle safety courses have already passed tests equivalent to the road

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test the Secretary of State requires for a motorcycle indorsement on a driver's license. It is unnecessary to require the additional test. Eliminating the redundant state road test would save the Department of State money. Graduates of public school driver education programs do not need to take the automobile road test to get a license, so it seems reasonable to grant a similar waiver to motorcycle safety course graduates. The waiver might encourage people to take motorcycle safety courses, which would be all to the good.

Against:

There seems no good reason to deny the road test waiver to safety course graduates under 18 years of age. By completing the course they demonstrate the ability to ride safely on the road. Needless to say, this group constitutes a large percentage of those enrolled in motorcycle safety courses (since they must take the course to legally ride a motorcycle).

Response: Some people believe the Secretary of State's road test is a useful check on the motorcycle skills of this age group. It provides an additional safeguard. People of this age have little experience on the road with any kind of vehicle. Given the risks involved in riding a motorcycle, it cannot hurt to make young people pass an official road test.

Against:

While in principle it seems fair to allow private businesses (such as motorcycle dealers themselves) to offer motorcycle safety courses meeting the standards of the Department of Education, it must be recognized that the state could have difficulties monitoring private programs as it has had monitoring private driver education programs. Monitoring these new programs will be all the more important since completing them successfully will mean a waiver of a state road test. Motorcycle safety training is important: motorcyclists account for five times as many fatalities as other vehicles, given their percentage of total traffic. Over 20 percent of those who begin safety courses now do not complete them. It is important that standards be maintained.

Response: The private courses will have to meet state standards as to quality of instructors and facilities just as the publicly funded courses do, and they will undoubtedly face closer scrutiny. Safe motorcycle practices, and a reduction in accidents and fatalities, are important to the motorcycle industry.