

Part 9

Motorcycle Rider Education Act

53-3-901 Title.

This part is known as the "Motorcycle Rider Education Act."

Amended by Chapter 21, 1999 General Session

53-3-902 Definitions.

As used in this part:

- (1) "Motorcycle" has the same meaning as provided in Section 41-1a-102.
- (2) "Program" means the motorcycle rider education program for training and information disbursement created under Section 53-3-903.
- (3) "Rider training course" means a motorcycle rider education curriculum and delivery system approved by the division as meeting national standards designed to develop and instill the knowledge, attitudes, habits, and skills necessary for the safe operation of a motorcycle.

Amended by Chapter 21, 1999 General Session

53-3-903 Motorcycle Rider Education Program.

- (1)
 - (a) The division shall develop standards for and administer the Motorcycle Rider Education Program.
 - (b) The division shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to implement this chapter.
- (2) The program shall include:
 - (a) a novice rider training course;
 - (b) a rider training course for experienced riders; and
 - (c) an instructor training course.
- (3) The division may expand the program to include:
 - (a) enhancing public awareness of motorcycle riders;
 - (b) increasing the awareness of motorcycle riders of the effects of alcohol and drugs;
 - (c) motorcycle rider skills improvement;
 - (d) program and other motorcycle safety promotion; and
 - (e) improvement of motorcycle licensing efforts.
- (4)
 - (a) Subject to the restriction in Subsection (4)(b), rider training courses shall be open to all residents of the state who:
 - (i) are at least 15 years 6 months of age; and
 - (ii) either hold a valid learner permit or driver license for any classification or are eligible for a motorcycle learner permit.
 - (b) A person who has been issued a learner permit may enroll in and complete a rider training course if the course is conducted on a closed course that:
 - (i) is not conducted on a public highway;
 - (ii) is approved by the division; and
 - (iii) meets or exceeds established national standards for motorcycle rider training courses prescribed by the Motorcycle Safety Foundation.

- (c) An adequate number of novice rider training courses shall be provided to meet the reasonably anticipated needs of all persons in the state who are eligible and who desire to participate in the program.
 - (d) Program delivery may be phased in over a reasonable period of time.
- (5)
- (a) The division may enter into contracts with either public or private institutions to provide a rider training course approved by the division.
 - (b) The institution shall issue certificates of completion in the manner and form prescribed by the director to persons who satisfactorily complete the requirements of the course.
 - (c) An institution conducting a rider training course may charge a reasonable tuition fee to cover the cost of offering the course.
 - (d)
 - (i) The division may use program funds to defray its own expenses in administering the program.
 - (ii) The division may reimburse entities that offer approved courses for actual expenses incurred in offering the courses, up to a limit established by the division based upon available program funds.
 - (iii) Any reimbursement paid to an entity must be entirely reflected by the entity in reduced course enrollment fees for students.
- (6)
- (a) Standards for the motorcycle rider training courses, including standards for course curriculum, materials, and student evaluation, and standards for the training and approval of instructors shall meet or exceed established national standards for motorcycle rider training courses prescribed by the Motorcycle Safety Foundation.
 - (b) Motorcycle rider training courses shall be taught only by instructors approved under Section 53-3-904.
 - (c) Motorcycle rider training courses for novices shall include at least eight hours of practice riding.
- (7) The commissioner shall appoint a full-time program coordinator to oversee and direct the program.

Amended by Chapter 252, 2009 General Session

53-3-904 Instructor training and approval.

- (1) The program coordinator shall approve instructors for the motorcycle rider training courses.
 - (2) A person may not be approved as an instructor unless the person holds a current instructor certification issued by the Motorcycle Safety Foundation or another nationally recognized motorcycle safety instructor certifying body.
- (3)
- (a) The program shall include instructor training courses as necessary.
 - (b) Prior to completion of an instructor training course, the participant shall demonstrate:
 - (i) knowledge of the course material;
 - (ii) knowledge of proper motorcycle operation;
 - (iii) proficiency in riding motorcycles; and
 - (iv) the necessary aptitude for instructing students.
- (4) An applicant for an instructor training course shall:
- (a) have a high school diploma or its equivalent;
 - (b) be at least 18 years of age;

- (c) have a valid endorsement to his driver's license for motorcycles; and
 - (d) have at least two years of recent motorcycle riding experience.
- (5) The division shall refuse to certify or revoke certification of an instructor if the applicant:
- (a) has had his driver's license suspended or revoked during the preceding two years or within the preceding five years if the suspension or revocation was for an alcohol or drug-related offense;
 - (b) fails to successfully complete an instructor course or required course updates; or
 - (c) no longer meets the requirements of this section.

Enacted by Chapter 216, 1993 General Session

53-3-905 Dedication of fees.

- (1) The following shall be deposited as dedicated credits in the Transportation Fund to be used by the division for the program:
- (a) \$5 of the annual registration fee imposed for each registered motorcycle under Subsection 41-1a-1206(1)(a);
 - (b) \$4 of the six-month registration fee imposed for each registered motorcycle under Subsection 41-1a-1206(2)(a); and
 - (c) \$2.50 of the fee imposed under Section 53-3-105 for an original, renewal, or extension of a motorcycle endorsement.
- (2) Appropriations to the program are nonlapsing.
- (3) Appropriations may not be used for assistance to, advocacy of, or lobbying for any legislation unless the legislation would enhance or affect the financial status of the program or the program's continuation.

Amended by Chapter 397, 2012 General Session

53-3-907 Licensing skills test exemption.

- (1) The division may exempt an applicant for a motorcycle operator license or endorsement from the licensing skills test if he presents proof of successful completion of a rider training course approved by the division that includes a similar test of skills.
- (2) The exemption provided in Subsection (1) applies only if the applicant applies for a motorcycle operator license or endorsement within six months of completion of an approved rider training course.

Enacted by Chapter 216, 1993 General Session

53-3-908 Advisory committee.

- (1) The governor shall appoint a five-member program advisory committee to assist in the development and implementation of the program.
- (2) The committee members shall be appointed by the governor as follows:
- (a) one representative of motorcycle retail dealers;
 - (b) one representative of peace officers;
 - (c) one citizen not affiliated with a motorcycle dealer, manufacturer, or association;
 - (d) one motorcycle safety foundation instructor or chief instructor; and
 - (e) one member of an incorporated motorcycle rider organization.
- (3) All members of the advisory committee shall be licensed motorcyclists.
- (4)

- (a) Except as required by Subsection (4)(b), as terms of current committee members expire, the governor shall appoint each new member or reappointed member to a four-year term.
 - (b) The governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years.
 - (c) The committee shall meet at the call of the director.
- (5) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
- (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 286, 2010 General Session

Amended by Chapter 324, 2010 General Session

53-3-909 Program exemption.

An entity offering a motorcycle rider training course approved by the division and an instructor providing instruction as part of an approved motorcycle rider training course are exempt from the requirements of Title 53, Chapter 3, Part 5, Commercial Driver Training Schools Act.

Amended by Chapter 12, 1994 General Session