



June 1, 2020

Hon. Representative Doug Green
Chair, House Transportation and Public Safety Committee
77 High Street, 13th Floor
Columbus, OH 43215

**Re: Statement of Support for House Bill No. 550:
Rejecting Opposition from AMA**

Dear Representative Green:

The Motorcycle Safety Foundation (MSF), a nationally recognized provider of motorcycle operator training courses and curriculum, respectfully submits this supplemental statement of support for House Bill No. 550 (H.B. 550) responding to unfounded concerns raised by opponents of the legislation. Introduced by Representative James M. Hoops on March 1, 2020, H.B. 550 offers a limited but valuable technical improvement to section 4508.08 of the Ohio Revised Code (ORC § 4508.08), related to Ohio's motorcycle safety and education program.

Background

In 2003, ORC § 4508.08 established a motorcycle safety and education program within the Department of Public Safety, Bureau of Motor Vehicles (ODPS). The program, called "Motorcycle Ohio," is part of a strategic statewide plan to improve motorcycling safety and save lives. Motorcycle Ohio operates courses of instruction for novice and experienced motorcycle riders, and educates all motorists to increase safety awareness for motorcyclists.

For novice riders, Motorcycle Ohio provides a life-changing and potentially life-saving experience: in-depth instruction on the safe operation of motorcycles, taught by professionally trained and certified instructors, with an opportunity to earn an examination waiver for a motorcycle operator's license endorsement.

Existing Law Permits Private Organizations to Also Conduct Training

Ohio law *currently allows* "private organizations and corporations to offer any nationally recognized motorcycle operating training courses or curriculum and any course established in accordance with [the existing enabling legislation for Motorcycle Ohio's safety and education programs]."¹ As Representative Hoops testified, "this provision permits nationally recognized motorcycle operator training courses that meet the same standards [that] apply to the Motorcycle Ohio program."²

One private organization providing training is the Motorcycle Safety Foundation (MSF). The MSF curriculum is nationally recognized with 45 states and all branches of the U.S. military using MSF's

¹ See ORC § 4508.08(A)(2)(a).

² Testimony of Rep. Hoops, House Transportation and Public Safety Committee, May 19, 2020, attached hereto as Exhibit A.

Basic RiderCourse (BRC) curriculum for their motorcycle safety and education programs. Since its inception, MSF has trained more than 8 million students.

Existing Law Does Not Address Certification for Private Organizations

Unfortunately, existing law does not address training and certification requirements for instructors who deliver nationally recognized training courses or curriculum within Ohio. In the absence of specific statutory guidance, ODPS procedure requires instructors who are already certified by nationally recognized private organizations to also maintain Motorcycle Ohio instructor training certification.

In effect, ODPS requires dual certification. This required dual certification confers no appreciable benefit upon the citizens of Ohio, and instead generates substantial administrative overhead and waste of limited state resources. Instructors certified to teach sanctioned courses of MSF and other private organizations, and who have no present intention to teach Motorcycle Ohio courses, must nonetheless maintain Motorcycle Ohio certification.

Purpose of H.B. 550

H.B. 550 strengthens Ohio's already robust motorcycle safety and education program by amending ORC § 4508.08 in two important respects. As introduced, H.B. 550 allows instructors certified by private organizations like MSF to continue training in Ohio without obtaining separate Motorcycle Ohio instructor certification. In addition, as noted by Representative Hoops, "the legislation further clarifies that such private providers are not required to have an end-of-course skills evaluation that includes the Motorcycle Ohio Basic Rider Skills (BRS) skills evaluation, if their existing certification meets or exceeds the Motorcycle Ohio BRS skills evaluation."³

H.B. 550 is uncontroversial and has encountered little substantial opposition because it saves Ohio money at the same time that it furthers the goals of the Motorcycle Ohio program. **In 2017, Motorcycle Ohio approved the MSF Basic *RiderCourse* for use by private providers in Ohio. In doing so, Motorcycle Ohio recognized that MSF curricula meet or exceed all of Motorcycle Ohio's requirements.**

In fact, MSF's programs serve as a perfect companion to Motorcycle Ohio's programs. MSF has been cooperating with Motorcycle Ohio quality assurance efforts since it first began operating in Ohio more than twenty years ago. MSF's training range is fully compliant and meets or exceeds Motorcycle Ohio standards. MSF does not receive any state funds and does not place any financial burden or other requirements on Motorcycle Ohio staff under this legislation. Finally, H.B. 550 does not impose any new requirements for authorizing training programs, nor make any changes to Motorcycle Ohio training standards, or create any additional staff burdens. To the contrary, **H.B. 550 generates efficiencies and saves money and staff time, all while serving the same goals as the Motorcycle Ohio program.**

Opponents of H.B. 550

What little opposition exists is premised on a misreading of the pending legislation by some motorcycling advocates. For example, in a statement of the American Motorcyclist Association (AMA),

³ *Id.*

submitted on May 22, 2020, AMA offered its critique of the *existing* law, without making *any* mention or critique of the proposed language in H.B. 550.

MSF recognizes the good work of AMA and other motorcycling organizations, and we stand with all organizations who support high-quality, research-based, state-approved motorcycle rider training. However, MSF unequivocally disagrees with AMA's stated position on H.B. 550.

Contrary to the AMA's statement, H.B. 550 does not seek to create a new "nationally-recognized" training standard, nor does it require Motorcycle Ohio staff to gain expertise in multiple curricula in order to provide the appropriate quality assurance – **multiple curricula already exist in Ohio.**

Any claims of quality assurance concerns with the MSF curricula are likewise unfounded. For three years, MSF has conducted training at its campus located in Troy, Ohio and issued Ohio skills test waivers. MSF's programs operate under a Policies and Procedures Manual already reviewed and approved by Motorcycle Ohio staff.

Finally, there is no truth to the assertion that H.B. 550 threatens licensing reciprocity between Ohio and other states. Nearly all of Ohio's neighboring states use MSF's nationally recognized curriculum and recognize MSF's Basic *RiderCourse* completion for motorcycle operator licensing. In fact, as noted earlier, 45 states and all branches of the U.S. military use MSF's Basic *RiderCourse* curriculum for their motorcycle safety and education programs. Few, if any, of these states accept the Motorcycle Ohio BRS completion card for licensing.

Conclusion

H.B. 550 will allow MSF and other private organizations to continue to offer fully compliant and high-quality motorcycle operator training courses and curriculum to Ohio citizens, while preserving Motorcycle Ohio resources, and eliminating unnecessary administrative burden and expense.

Sincerely,



Scott P. Schloegel
MSF Senior Vice President, Government Relations

cc: Hon. Representative James M. Hoops
Michael Sayre, American Motorcyclist Association
Erik Pritchard, MSF President & CEO
Ray Ochs, MSF Vice President, Training Systems
Robert Gladden, MSF Vice President, Training Operations

MSF is a national, not-for profit organization founded in 1973. MSF's mission is to make motorcycling safer and more enjoyable by ensuring access to high-quality education and training, and by advocating for a safer riding environment. MSF collaborates with federal and state agencies, the military, and thousands of safety-minded members of the public, to help people enjoy motorcycling safely and responsibly. We offer life-long learning opportunities for riders, for RiderCoaches who

train motorcyclists, and for those who train the coaches. Our Basic *RiderCourse* (BRC) curriculum offers a great foundation for novice riders. The BRC is used nationwide by forty-five states and all branches of the U.S. military -- over 350,000 students per year, at nearly 2,400 sites, with 7,200 MSF-certified instructors available to guide students. MSF's members include motorcycle manufacturers BMW, BRP, Harley-Davidson, Honda, Kawasaki, KTM, Piaggio/Vespa, Indian Motorcycle, Suzuki, Triumph and Yamaha.