

**Jim Hoops**  
81<sup>st</sup> Ohio House District

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Chair: Public Utilities



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**Ohio General Assembly  
Ohio House of Representatives  
Representative Jim Hoops**

**Rep. Hoops – Sponsor Testimony**

February 16, 2022

Chairwoman Kunze, Vice Chair Reineke, Ranking Member Antonio and members of the Senate Transportation Committee. Thank you for the opportunity to testify on HB 338, which would make changes to the laws related to the motorcycle safety and education program.

H.B. 338 will further enhance motorcycle safety in the state of Ohio. Section 4508.08 of the Ohio Revised Code was amended in 2017 to allow “private organizations or corporations to offer any nationally recognized motorcycle operating training courses or curriculum and any course established in accordance with division (A)(1) of this section.” In other words this provision passed in 2017 permits nationally recognized motorcycle operator training courses that meet the same standards to apply and teach in the Motorcycle Ohio program.

However, recent practice has required certified coaches to also maintain a separate Motorcycle Ohio instructor trainer certification. This dual certification requirement places an unintended and unnecessary burden on private provider instructors. Duplicative certification in the Motorcycle Ohio curriculum is an inefficient use of the Department of Public Safety (DPS) and Motorcycle Ohio resources.

H.B. 338 would clarify that instructors of authorized nationally recognized motorcycle operator training courses offered by private providers are not required to be additionally certified as Motorcycle Ohio instructor trainers. 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.

In addition after listening to funding concerns from ABATE and AMA, this legislation also increases funding for the Motorcycle Safety and Education Fund by establishing new private provider fees for the initial authorization of new training courses or curricula and for instructor certification.

H.B. 338 would have no impact on the process for training evaluation. The quality of private provider training is currently evaluated by the DPS in advance of certifying that the provider meets or exceeds federal National Highway Traffic Safety Administration (NHTSA) standards. This is the same for Motorcycle Ohio or any other provider. Under current Ohio regulations, private providers must also comply with quality assurance inspections at facility locations and penalties are currently in place for non-compliance.

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H.B. 338 would not result in the production of fraudulent motorcycle safety paper certificates as was uncovered in the State of Florida. Motorcycle Ohio's certification system is set up in a manner that would not allow this activity due to its online requirements. In fact, such activity in Florida that was used as an example in opposition testimony in the House was ultimately prosecuted thanks to the assistance of the Motorcycle Safety Foundation, who currently is an authorized private provider of motorcycle safety education in Ohio.

From 1988 to 2016 Motorcycle Ohio used the Motorcycle Safety Foundation's curriculum for motorcycle endorsement. Motorcycle Ohio then adopted new curriculum that was actually based on an older version of the MSF curriculum. The MSF curriculum, which is recognized in 46 states, and utilized by the U.S. military and federal agencies stays current and relevant by making changes and updates every two to three years. As stated previously, private provider curricula are subject to ongoing compliance requirements under current Ohio regulations that would not be affected by H.B. 338.

H.B. 338 would also alleviate Motorcycle Ohio staff burdens by repealing the dual certification burden freeing up Motorcycle Ohio instructors to train new rider coaches rather than waste valuable resources duplicating training for coaches who are already certified in a curriculum that meets or exceeds NHTSA standards.

H.B. 338 would not require public money be used to support private sector training. Current law specifies that private providers are not eligible for reimbursement of expenses or subsidies from the motorcycle safety and education fund. Private providers are responsible for all cost of instructors, training, providing motorcycles, motorcycle maintenance, fuel costs, administrative pay, instructor pay, and background checks (as well as first aid and CPR training). By contrast, the Motorcycle Ohio program receives taxpayers' subsidies for nearly all of those expenses.

Chairwoman Kunze, Vice Chair Reineke, Ranking Member Antonio and members of the Transportation Committee, I thank you for your attention, and I ask for your favorable consideration of House Bill 338.

I would be happy to answer any questions.