

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 338

Representative Hoops

A BILL

To amend sections 4501.13 and 4508.08 of the 1
Revised Code to make changes to the laws related 2
to the motorcycle safety and education program. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4501.13 and 4508.08 of the 4
Revised Code be amended to read as follows: 5

Sec. 4501.13. ~~Six dollars of each registration fee~~ 6
~~designated for payment to the registrar of motor vehicles in~~ 7
~~division (A) (1) (b) of section 4503.04 of the Revised Code shall~~ 8
~~be deposited in the (A) The motorcycle safety and education~~ 9
~~fund, which is hereby created in the state treasury and, unless~~ 10
~~otherwise provided by law, . The fund shall consist of the~~ 11
following: 12

(1) Six dollars of each registration fee designated for 13
payment to the registrar of motor vehicles in division (A) (1) (b) 14
of section 4503.04 of the Revised Code; 15

(2) The fees collected for the initial authorization of a 16
private organization or corporation to offer a nationally 17
recognized motorcycle operator training course or curriculum 18
under section 4508.08 of the Revised Code; 19

(3) The fees collected for the initial state certification 20
of an instructor of motorcycle operator training course or 21
curriculum under section 4508.08 of the Revised Code. 22

All investment earnings of the motorcycle safety and 23
education fund shall be credited to the fund. 24

(B) The fund shall be used solely to pay part or all of 25
the costs of conducting the motorcycle safety and education 26
program created by section 4508.08 of the Revised Code. 27

Sec. 4508.08. There is hereby created in the department of 28
public safety the motorcycle safety and education program. The 29
director of public safety shall administer the program in 30
accordance with the following guidelines: 31

(A) (1) The program shall include courses of instruction 32
conducted at vocational schools, community colleges, or other 33
suitable locations, by instructors who have obtained 34
certification in the manner and form prescribed by the director. 35
The courses shall meet standards established in rules adopted by 36
the department in accordance with Chapter 119. of the Revised 37
Code. The courses may include instruction for novice motorcycle 38
operators, instruction in motorist awareness and alcohol and 39
drug awareness, and any other kind of instruction the director 40
considers appropriate. A reasonable tuition fee, as determined 41
by the director, may be charged. The director may authorize 42
private organizations or corporations to offer courses without 43
tuition fee restrictions, but such entities are not eligible for 44
reimbursement of expenses or subsidies from the motorcycle 45
safety and education fund created in section 4501.13 of the 46
Revised Code. 47

(2) The director shall do both of the following: 48

(a) Authorize private organizations or corporations to offer any nationally recognized motorcycle operator training courses or curriculum and any course established in accordance with division (A) (1) of this section;

(b) Permit an applicant for a motorcycle operator's endorsement or a restricted license that permits only the operation of a motorcycle who has completed any motorcycle operator training course or curriculum as authorized in division (A) (2) (a) of this section successfully within the preceding sixty days to be eligible for the examination waiver as described in division (B) (1) of section 4507.11 of the Revised Code.

(B) In addition to courses of instruction, the program may include provisions for equipment purchases, marketing and promotion, improving motorcycle license testing procedures, and any other provisions the director considers appropriate.

(C) The director shall evaluate the program every two years and shall periodically inspect the facilities, equipment, and procedures used in the courses of instruction.

(D) The director shall appoint at least one training specialist who shall oversee the operation of the program, establish courses of instruction, and supervise instructors. The training specialist shall be a licensed motorcycle operator and shall obtain certification in the manner and form prescribed by the director.

(E) The director may contract with other public agencies or with private organizations or corporations to assist in administering the program.

(F) Notwithstanding any provision of Chapter 102. of the

Revised Code, the director, in order to administer the program, 78
may participate in a motorcycle manufacturer's motorcycle loan 79
program. 80

(G) The director shall contract with an insurance company 81
or companies authorized to do business in this state to purchase 82
a policy or policies of insurance with respect to the 83
establishment or administration, or any other aspect of the 84
operation of the program. 85

(H) A private organization or corporation that offers any 86
nationally recognized motorcycle operator training course or 87
curriculum is not required to use the end-of-course skills 88
evaluation used by a course established in accordance with 89
division (A) (1) of this section if the evaluation used by the 90
private organization or corporation meets or exceeds the 91
requirements of the evaluation authorized by the director under 92
this section. 93

(I) An instructor for a nationally recognized motorcycle 94
operator training course or curriculum offered by an authorized 95
private organization or corporation shall obtain certification 96
in the manner and form prescribed by the director under division 97
(A) (1) of this section and in accordance with the rules adopted 98
by the director. However, the director shall not require an 99
instructor for a nationally recognized motorcycle operator 100
training course or curriculum to participate in the state 101
instructor training curriculum if the director determines that 102
both of the following apply: 103

(1) The instructor has completed the training required by 104
the authorized private organization or corporation and the 105
training meets or exceeds the state instructor training 106
curriculum. 107

<u>(2) The instructor has met all other state requirements</u>	108
<u>for certification.</u>	109
<u>(J) The director shall charge the following one-time fees:</u>	110
<u>(1) Four hundred dollars for the initial authorization of</u>	111
<u>a private organization or corporation to offer a nationally</u>	112
<u>recognized motorcycle operator training course or curriculum in</u>	113
<u>accordance with division (A)(2)(a) of this section;</u>	114
<u>(2) Fifty dollars for the initial state certification of</u>	115
<u>an instructor of a course authorized under division (A)(2)(a) of</u>	116
<u>this section.</u>	117
<u>The director shall deposit all fees received under this</u>	118
<u>division into the motorcycle safety and education fund</u>	119
<u>established under section 4501.13 of the Revised Code.</u>	120
Section 2. That existing sections 4501.13 and 4508.08 of	121
the Revised Code are hereby repealed.	122