

SENATE BILL REPORT

SB 5274

As Reported by Senate Committee On:
Transportation, February 5, 2013

Title: An act relating to private motorcycle skills education programs.

Brief Description: Concerning private motorcycle skills education programs.

Sponsors: Senators Carrell, Eide, King, Harper, Hill and Shin.

Brief History:

Committee Activity: Transportation: 1/29/13, 2/05/13 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5274 be substituted therefor, and the substitute bill do pass.

Signed by Senators Benton, Vice Co-Chair; Eide, Co-Chair; King, Co-Chair; Billig, Brown, Carrell, Ericksen, Fain, Budget Leadership Cabinet; Harper, Hobbs, Mullet, Rolfes, Schlicher, Sheldon and Smith.

Staff: Kim Johnson (786-7472)

Background: A person must obtain a motorcycle endorsement to operate a motorcycle on public highways. In 1982, legislation passed requiring the Department of Licensing (DOL) to create a voluntary motorcycle operator training and education program to provide public awareness of motorcycle safety and to provide classroom and on-cycle training. DOL may waive all or a portion of the motorcycle endorsement examination for people who satisfactorily complete the motorcycle operator training and education program.

DOL currently contracts with private certified instructors to provide motorcycle safety classes and on-cycle training. The cost for classes and training for Washington residents that are under age 18 is capped at \$50, and for Washington residents over age 18 the cost for classes and training is capped at \$125. DOL currently provides a subsidy to the instruction programs at a negotiated rate. In the 2011-13 biennium DOL allotted \$2,764,000 in subsidies for the program. The monies for the program and subsidies are appropriated from the Motorcycle Safety Education Account, which is entirely supported by motorcycle endorsements fees.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Substitute): DOL must allow private motorcycle skills education programs to offer motorcycle safety education courses without a subsidy from the state. These privately provided unsubsidized motorcycle skills education courses are not subject to the price caps.

DOL must review and certify that a private motorcycle skills education course offered without subsidy meets the equivalent educational standards as the subsidized courses. DOL's contract with an unsubsidized provider must allow DOL to periodically audit the private provider to ensure that the educational standards continue to meet those of the subsidized programs.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute): The sequence of when DOL must enter into an agreement with a private provider of motorcycle skills education courses to offer unsubsidized courses where the student pays the full cost of the class is clarified to reflect that: (1) DOL must review and certify that a private motorcycle skills education program's courses meet the same educational standards as courses provided under the subsidized program; and then; (2) DOL must enter into an agreement with the private program to provide private motorcycle skills education courses.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2013.

Staff Summary of Public Testimony on Original Bill: PRO: Harley-Davidson has been operating a motorcycle safety education program under a pilot approved by DOL since 2008. It has been very successful. Under the pilot the students pay the full cost of the course and Harley-Davidson has not taken a state subsidy. Nationwide, the Harley-Davidson Rider's Edge program has trained over 300,000 riders. Washington is unique in its requirement that we have to take a subsidy. We don't want to take a subsidy and want to be able to continue operating our program. The point of motorcycle safety education courses is to increase rider knowledge and public safety.

OTHER: Harley operates a great program. Our concern is not with them, but is about future companies that may not offer as quality a program. The use of the word must forces DOL to contract with a private provider and gives DOL no room to say no. The goal of the program is to train more riders and we support Harley's goal wholeheartedly. There is also a concern about siphoning riders away from the existing schools in the future should there be a glut of private providers that want to offer unsubsidized courses and not take the state subsidy.

Persons Testifying: PRO: Cliff Webster and Jason Tolleson, Harley-Davidson Motor Company.

OTHER: Larry Walker, WA Road Riders Assn.; Tony Sermonti, DOL.