

# MAINE STATE LEGISLATURE

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Date: 6/6/19

L.D. 1782  
(Filing No. H- 570)

**TRANSPORTATION**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1267, L.D. 1782, Bill, "An Act To Amend the Motorcycle Rider Education and Driver Education Laws"

Amend the bill by striking out all of sections 1 to 4 and inserting the following:

**Sec. 1. 29-A MRSA §1352, sub-§2, ¶¶F to H** are enacted to read:

F. A person who successfully completes a motorcycle rider education course, approved by the Secretary of State, on a 2-wheel motorcycle may be licensed to operate a 2-wheel or 3-wheel motorcycle.

G. A person who successfully completes a motorcycle rider education course, approved by the Secretary of State, on a 3-wheel motorcycle is restricted to the operation of a 3-wheel motorcycle.

H. A person who holds a motorcycle learner's permit and who successfully completes the motorcycle road test, administered by the Secretary of State, on a 3-wheel motorcycle is restricted to the operation of a 3-wheel motorcycle.

**Sec. 2. 29-A MRSA §1352, sub-§§2-A and 2-B** are enacted to read:

**2-A. Motorcycle rider education schools.** A person may not conduct a motorcycle rider education course unless the person is licensed as a motorcycle rider education school and employs instructors licensed by the Secretary of State.

A. A licensed motorcycle rider education school shall:

(1) Provide a classroom, including a motorcycle riding range, in a permanent or temporary location approved by the Secretary of State;

(2) Display a business sign at the licensed place of business;

(3) Provide confirmation to the Secretary of State of liability insurance coverage for motorcycle riders operating on the motorcycle rider education school's motorcycle riding range;

(4) Maintain a surety bond in the amount of \$10,000;

**COMMITTEE AMENDMENT**

R.O.F.S

1           (5) Ensure that each instructor employed by the motorcycle rider education  
2           school holds a valid motorcycle rider education instructor license;

3           (6) Ensure that each motorcycle owned, rented, leased or borrowed and used for  
4           any hands-on training course at the motorcycle rider education school is  
5           approved by the Secretary of State;

6           (7) Submit and retain copies of course forms provided by the Secretary of State.  
7           All records under this subparagraph must be retained by the motorcycle rider  
8           education school for 5 years; and

9           (8) Immediately notify the Secretary of State, in writing, whenever the location  
10          or mailing address of the motorcycle rider education school changes.

11          B. The Secretary of State shall upon initial review or renewal of an application, and  
12          may at any other reasonable time, conduct an on-site inspection of a motorcycle rider  
13          education school's records, facilities and equipment to determine compliance with  
14          this subsection.

15          **2-B. Penalty.** Operating a motorcycle rider education school without a license is a  
16          Class E crime. A licensed motorcycle rider education school that fails to comply with the  
17          requirements of subsection 2-A, paragraph A commits a traffic infraction.

18          **Sec. 3. 29-A MRSA §1352, sub-§3, ¶¶D and E** are enacted to read:

19          D. The Secretary of State may, at any reasonable time, monitor and evaluate an  
20          instructor's performance to determine compliance with this section.

21          E. The instructor shall immediately notify the Secretary of State, in writing,  
22          whenever the instructor's mailing address or name changes.

23          **Sec. 4. 29-A MRSA §1352, sub-§3-A** is enacted to read:

24          **3-A. Penalty.** Providing motorcycle rider education instruction without a license is a  
25          Class E crime. A licensed motorcycle rider education instructor that fails to comply with  
26          the requirements of subsection 3, paragraph E or qualification standards and requirements  
27          established by the Secretary of State under subsection 3, paragraph B, subparagraph (2)  
28          commits a traffic infraction.'

29          Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
30          section number to read consecutively.

31   **SUMMARY**

32           This amendment makes the following changes to the bill.

- 33           1. It clarifies the motorcycle rider education course provisions.
- 34           2. It clarifies that a motorcycle rider education school must continually comply with  
35           the requirements to obtain or renew a motorcycle rider education school license.
- 36           3. It clarifies which records must be retained by a motorcycle rider education school  
37           for 5 years.

R O F S

COMMITTEE AMENDMENT "A" to H.P. 1267, L.D. 1782

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4. It clarifies the penalty provisions contained in the bill and makes failure to comply with motorcycle rider education instructor standards and requirements a traffic infraction.

**FISCAL NOTE REQUIRED**

**(See attached)**

**COMMITTEE AMENDMENT**



# 129th MAINE LEGISLATURE

LD 1782

LR 2279(02)

## An Act To Amend the Motorcycle Rider Education and Driver Education Laws

Fiscal Note for Bill as Amended by Committee Amendment

*A(H-510)*

Committee: Transportation

Fiscal Note Required: Yes

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### Fiscal Note

Minor cost increase - General Fund  
Minor cost increase - Highway Fund  
Minor revenue increase - General Fund  
Minor revenue increase - Other Special Revenue Funds

#### Correctional and Judicial Impact Statements

Establishes new Class E crimes

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time.

The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.

#### Fiscal Detail and Notes

Additional costs to the Department of Secretary of State associated with this legislation can be absorbed within existing budgeted resources.