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Title 7—DEPARTMENT OF TRANSPORTATION
Division 60—Highway Safety Division
Chapter 1—Motorcycle Safety Education Program

OCT 17 2016
SECRETARY OF STATE
ADMINISTRATIVE RULES

PROPOSED AMENDMENT

7 CSR 60-1.030 **Motorcycle Instructor.** The Missouri Highways and Transportation Commission is amending sections (1) and (4).

PURPOSE: This proposed amendment outlines the standards for an approved motorcycle rider training program instructor.

(1) No individual may instruct **and/or** offer instruction in motorcycle operation to the public for tuition, consideration, or fee without authorization from the division. To qualify for authorization, an instructor must be approved by the division. Approval will be denied unless an instructor applicant meets the following requirements. The applicant must agree to teach the training courses in accordance with the division's rules, policies, procedures, and approved curricula and must—

(A) Hold a current National **Instructor Certification from a curriculum that is equivalent per Uniform Procedures for State Highway Safety Grant Program 23 CFR Part 1300.25 (e) Motorcycle Rider Training Course or the Motorcycle Safety Foundation (MSF), which are incorporated herein by reference and made a part of this rule, curricula; On and after December 4, 2015, the FAST Act requires NHSTA to award grants pursuant to rulemaking that meets or exceeds standards established by the United States Department of Transportation, National Highway Traffic Safety Administration, identified as "Uniform Procedures for State Highway Safety Grant Programs: Final Rule" Vol. 81 FR 32554-32605 as published in the Federal Register on May 23, 2016 by the National Highway Traffic Safety Administration, 1200 New Jersey SE, Washington, DC. 20590 and that shall become effective beginning on May 23, 2016, which is hereby incorporated by reference and made a part of this rule. This paragraph does not incorporate any subsequent amendments or additions to this publication;**

(B) Be a high school graduate or possess a valid general educational development (GED);

(C) Possess a valid driver's license that allows the operation of a motorcycle;

(D) Be a licensed driver for at least five (5) years;

(E) Meet the current driving record evaluation standards established by the Missouri Department of Revenue for school bus drivers pursuant to *Revised Statutes of Missouri*;

(F) Be free from addiction to the use of alcoholic beverages or *[drugs]***controlled substances;**
and

(G) Be physically and mentally competent to conduct classroom and on-cycle instruction, including technically correct riding demonstrations.

(4) Approval may be canceled if—

(A) It was based on false or incorrect information or mistake; or

(B) The *[discrepancy]***issue** causing the suspension under 11 CSR 60-1.020 (relating to program sponsor), 11 CSR 60-1.030 (relating to motorcycle instructor), 11 CSR 60-1.040 (relating to student admission requirements), 11 CSR 60-1.050 (relating to verification of course

JOINT COMMITTEE ON

OCT 17 2016

ADMINISTRATIVE RULES

completion by a minor), 11 CSR 60-1.060 (relating to approved motorcycle training courses), and 11 CSR 60-1.070 (relating to motorcycle requirements) has not been corrected within the time limit prescribed by a suspension.

AUTHORITY: section 302.134, RSMo Supp. 1995. This rule originally filed as 11 CSR 60-1.030. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.030, effective Aug. 28, 2003. Amended: Filed October 17, 2016.*

**Original authority: 302.134, RSMo 1995.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Pam Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*