1	L.D. 1782
2	Date: (Filing No. H-)
3	TRANSPORTATION
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	129TH LEGISLATURE
8	FIRST REGULAR SESSION
9	COMMITTEE AMENDMENT " " to H.P. 1267, L.D. 1782, Bill, "An Act To Amend the Motorcycle Rider Education and Driver Education Laws"
11	Amend the bill by striking out all of sections 1 to 4 and inserting the following:
12	'Sec. 1. 29-A MRSA §1352, sub-§2, ¶¶F to H are enacted to read:
13 14 15	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.
16 17 18	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.
19 20 21	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.
22	Sec. 2. 29-A MRSA §1352, sub-§§2-A and 2-B are enacted to read:
23 24 25	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.
26	A. A licensed motorcycle rider education school shall:
27 28	(1) Provide a classroom, including a motorcycle riding range, in a permanent or temporary location approved by the Secretary of State;
29	(2) Display a business sign at the licensed place of business;
30 31 32	(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;
33	(4) Maintain a surety bond in the amount of \$10,000;

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1 2	(5) Ensure that each instructor employed by the motorcycle rider education school holds a valid motorcycle rider education instructor license;
3 4 5	(6) Ensure that each motorcycle owned, rented, leased or borrowed and used for any hands-on training course at the motorcycle rider education school is approved by the Secretary of State;
6 7 8	(7) Submit and retain copies of course forms provided by the Secretary of State. All records under this subparagraph must be retained by the motorcycle rider education school for 5 years; and
9 10	(8) Immediately notify the Secretary of State, in writing, whenever the location or mailing address of the motorcycle rider education school changes.
11 12 13 14	B. The Secretary of State shall upon initial review or renewal of an application, and may at any other reasonable time, conduct an on-site inspection of a motorcycle rider education school's records, facilities and equipment to determine compliance with this subsection.
15 16 17	2-B. Penalty. Operating a motorcycle rider education school without a license is a Class E crime. A licensed motorcycle rider education school that fails to comply with the 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 20	D. The Secretary of State may, at any reasonable time, monitor and evaluate an instructor's performance to determine compliance with this section.
21 22	E. The instructor shall immediately notify the Secretary of State, in writing, whenever the instructor's mailing address or name changes.
23	Sec. 4. 29-A MRSA §1352, sub-§3-A is enacted to read:
24 25 26 27 28	3-A. Penalty. Providing motorcycle rider education instruction without a license is a Class E crime. A licensed motorcycle rider education instructor that fails to comply with the requirements of subsection 3, paragraph E or qualification standards and requirements established by the Secretary of State under subsection 3, paragraph B, subparagraph (2) commits a traffic infraction.'
29 30	Amend the bill by relettering or renumbering any nonconsecutive Part letter or 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 35	2. It clarifies that a motorcycle rider education school must continually comply with the requirements to obtain or renew a motorcycle rider education school license.
36 37	3. It clarifies which records must be retained by a motorcycle rider education school for 5 years.

l 2	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.
3	FISCAL NOTE REQUIRED
1	(See attached)