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H.B. 338
134th General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsor: Rep. Hoops

Margaret E. Marcy, Attorney

SUMMARY

Motorcycle safety and education programs

- Allows a private motorcycle safety and education program to use a final end-of-course skills exam that is different from the Department of Public Safety final exam, provided their exam meets or exceeds the DPS requirements.
- Exempts a private program's instructors from the DPS instructor training, provided the instructor is trained by a third party and the training meets or exceeds the DPS training.
- Requires the following one-time fees:
 - \$400 for initial authorization of a private motorcycle safety and education program;
 - \$50 for initial certification of a private program instructor.

DETAILED ANALYSIS

Motorcycle safety and education programs

The bill makes several changes to the laws related to motorcycle safety and education programs that are offered by private organizations and corporations. Under current law, a private organization or corporation is allowed to offer a nationally recognized motorcycle safety and education program as an alternative to the program created and offered by the Department of Public Safety (DPS).¹ The bill allows the private organization or corporation to use a final end-of-course skills exam that is different from the final exam offered by DPS, provided the exam meets or exceeds the requirements of the DPS exam.² The bill also exempts

¹ R.C. 4508.08(A)(2)(a).

² R.C. 4508.08(H).

a private organization or corporation's instructor from the DPS instructor training curriculum, provided that the instructor:

1. Has been trained by the authorized private organization or corporation and the training meets or exceeds the DPS training curriculum; and
2. Has met all other DPS certification requirements (e.g., criminal background checks).³

Under current law, as part of the DPS motorcycle safety and education program, the Director of DPS is authorized to prescribe the manner and form of certification for instructors of the program. The Director also establishes the standards for the courses taught under the program.⁴ Current law is silent, however, on whether the instructor certification, instructor training, or the final skills examination required by the Director for the DPS program must also be used for the programs offered by private organizations or corporations.

Authorization and certification fees

The bill requires the Director to charge the following one-time fees:

1. A \$400 fee for the initial authorization of a private organization or corporation's motorcycle safety and education program; and
2. A \$50 fee for the initial state certification of an instructor of the private organization or corporation's program.⁵

The fees must be deposited into the existing Motorcycle Safety and Education Fund. The fund also contains a portion of all motorcycle registration taxes and is used to pay the costs of Motorcycle Ohio, the DPS motorcycle safety and education program.⁶

HISTORY

Action	Date
Introduced	06-07-21
Reported, H. Transportation & Public Safety	11-16-21
Passed House (90-1)	12-09-21

H0338-PH-134/ar

³ R.C. 4508.08(I).

⁴ R.C. 4508.08(A)(1).

⁵ R.C. 4508.08(J).

⁶ R.C. 4501.13.