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SEP 09 2022

SECRETARY OF STATE
ADMINISTRATIVE RULES

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

PROPOSED RULE

7 CSR 60-1.020 Motorcycle Training School

PURPOSE: This rule sets forth the standards for an approved motorcycle training school.

(1) Motorcycle Training School—Eligibility. An entity seeking approval as an approved motorcycle training school shall:

- (A) Submit a completed application on the form prescribed by the Division;
- (B) Provide a list of all individuals of the entity who must undergo and successfully pass a criminal history background check conducted by the Division;
- (C) Provide a list of all real property that will be used to meet the training site requirements and proof that the entity owns, or possesses written authorization by the owner to use, such real property;
- (D) Provide a list of motorcycles, if any, that will be available for student use, including the year, make, model, and Vehicle Identification Number (VIN) of each motorcycle;
- (E) Provide a list of the Division-approved courses the entity intends to offer and proof of ownership of, or authority to offer, each course; and
- (F) Provide a list of instructors employed by, or contracted with, the entity.

(2) Training Site Requirements. A motorcycle training school must have a training site that includes:

- (A) A range that:
 - 1. Features a paved surface, including asphalt, concrete, or another all-weather surface of suitable traction in good condition;
 - 2. Is large enough to safely accommodate all courses conducted by the motorcycle school;
 - 3. Is reasonably free of incline;
 - 4. Is free of vehicular and pedestrian traffic; and
 - 5. Is reasonably free of surface hazards and obstacles.
- (B) An appropriate first aid kit and at least one five-pound Class ABC fire extinguisher for use at the range;
- (C) A classroom that:
 - 1. Is not located in a private residence;
 - 2. Is large enough to accommodate one seat per student and instructor(s);
 - 3. Has a suitable seat and writing surface for each student; and,
 - 4. Has suitable audiovisual presentation equipment.
- (D) A minimum of one (1) training motorcycle available for each student participating in the range session of the course that is:
 - 1. Sufficiently maintained to be in safe operating condition; and,
 - 2. Intended by the manufacturer for street use.
- (E) A secure storage area to physically and environmentally protect training motorcycles and other course equipment.

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By JCAR at 12:40 pm, Sep 09, 2022

(3) Quality Assurance Visits. At least one quality assurance visit (QAV) will be conducted at each of the motorcycle training schools each calendar year by the Division. During the QAV, the Division will ensure compliance with the Motorcycle Safety Education Program requirements set forth in 7 CSR 60-1.010 through 7 CSR 60-1.040.

(4) School Suspension--Notice and Hearing Requirements. If the Division intends to deny an entity's application for approval as a motorcycle training school or suspend or revoke a previously approved motorcycle training school, notice and opportunity for a hearing must be given as provided by the Missouri Administrative Procedures Act as set forth in Chapter 536, RSMo. Any hearing or administrative or judicial review shall be a non-contested case. The term of any suspension must not exceed one (1) year and may be reduced by the Division if the motorcycle training school has corrected the grounds for suspension.

AUTHORITY: section 302.134, RSMo 2016. This rule originally filed as 11 CSR 60-1.020. Original rule filed March 20, 1996, effective Sept. 30, 1996. Moved to 7 CSR 60-1.020, effective Aug. 28, 2003. Amended: Filed Oct. 17, 2016, effective July 30, 2017. Adopted: Filed September 9, 2022.*

**Original authority: 302.134, RSMo 1995, amended 2014.*

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

PRIVATE COST: This proposed rule 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 rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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.*