

FEB 15 1996
Place On Calendar

HOUSE FILE 2225
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 606)

Passed House, Date ^(p.397) 2/21/96 Passed Senate, Date ^(p.897) 3/20/96
Vote: Ayes 91 Nays 0 Vote: Ayes 48 Nays 1
Approved March 29, 1996

A BILL FOR

1 An Act relating to motorcycle rider education and providing an
2 effective date.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2225

1 Section 1. Section 321.189, subsection 7, Code Supplement
2 1995, is amended by striking the subsection and inserting in
3 lieu thereof the following:

4 7. CLASS M LICENSE EDUCATION REQUIREMENTS. A person,
5 under the age of eighteen, applying for a driver's license
6 valid for the operation of a motorcycle shall be required to
7 successfully complete a motorcycle education course either
8 approved and established by the department or from a private
9 or commercial driver education school licensed by the
10 department before the class M license will be issued. A
11 public school district shall charge a student a fee which
12 shall not exceed the actual cost of instruction minus moneys
13 received by the school district under subsection 9.

14 Sec. 2. Section 321.189, subsection 8, paragraph a, Code
15 Supplement 1995, is amended to read as follows:

16 a. The department may issue a driver's license valid only
17 for operation of a motorized bicycle to a person fourteen
18 years of age or older who has passed a vision test or who
19 files a vision report as provided in section 321.186A which
20 shows that the applicant's visual acuity level meets or
21 exceeds those required by the department and who passes a
22 written examination on the rules of the road. A person under
23 the age of sixteen applying for a driver's license valid only
24 for operation of a motorized bicycle shall also be required to
25 successfully complete a motorized bicycle education course
26 approved and established by the department ~~of-education~~ or
27 successfully complete an approved motorized bicycle education
28 course at a private or commercial driver education school
29 licensed by the department. A public school district shall
30 charge a student a fee which shall not exceed the actual cost
31 of instruction. A driver's license valid only for operation
32 of a motorized bicycle entitles the licensee to operate a
33 motorized bicycle upon the highway while having the license in
34 the licensee's immediate possession. The license is valid for
35 a period not to exceed two years from the licensee's birthday

1 anniversary in the year of issuance, subject to termination or
2 cancellation as provided in this section.

3 Sec. 3. Section 321.189, subsection 9, Code Supplement
4 1995, is amended to read as follows:

5 9. MOTORCYCLE RIDER EDUCATION FUND. The motorcycle rider
6 education fund is established in the office of the treasurer
7 of state. The moneys credited to the fund are appropriated to
8 the department of-education to be used to establish new
9 motorcycle rider education courses and reimburse sponsors of
10 motorcycle rider education courses for the costs of providing
11 motorcycle rider education courses approved and established by
12 the department of-education. The department of-education
13 shall adopt rules under chapter 17A providing for the
14 distribution of moneys to sponsors of motorcycle rider
15 education courses based upon the costs of providing the
16 education courses.

17 Sec. 4. 1994 Iowa Acts, chapter 1102, section 4, as
18 amended by 1994 Iowa Acts, chapter 1199, section 52, and 1995
19 Iowa Acts, chapter 118, section 37, is repealed.

20 Sec. 5. The amendment to section 321.189, subsection 7,
21 Code 1995, as contained in 1995 Iowa Acts, chapter 118,
22 section 22, and which would take effect May 1, 1997, is void.

23 Sec. 6. EFFECTIVE DATE. This Act, being deemed of
24 immediate importance, takes effect upon enactment.

25 EXPLANATION

26 This bill strikes the requirement that all persons who wish
27 to be issued a motorcycle license must first complete a
28 motorcycle rider education class. Instead the bill requires
29 that only those persons under the age of 18 complete the
30 class, which is a continuation of the current statutory legal
31 requirement.

32 In addition, the bill transfers the responsibility for
33 approving and establishing the motorcycle rider education
34 class and the motorized bicycle education class from the
35 department of education to the state department of

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transportation.
The bill is effective upon enactment.

**HOUSE FILE 2225
FISCAL NOTE**

A fiscal note for House File 2225 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2225 eliminates the requirement that all persons who wish to be issued a motorcycle license must first complete a motorcycle rider education class which becomes effective July 1, 1997. Currently, only persons under the age of 18 are required to complete the course.

In addition, this Bill transfers the responsibility for approving and establishing the motorcycle rider education class from the Department of Education to the Department of Transportation.

BACKGROUND

The Motorcycle Rider Education Program is funded through the Motorcycle Rider Education Fund. The Fund receives an allocation from the Road Use Tax Fund equal to the amount of motorcycle license fees collected. The fee for a motorcycle license is \$1.00 per year of license validity. The fees will generate \$100,000 to \$400,000 per year depending on the number of motorcycle license issuances.

There are 19 course sponsors in Iowa which include all community colleges, one local high school, and ABATE of Iowa, Inc. The sponsors employ 73 instructors who train between 1,400 and 1,500 persons annually, most of whom are under the age of 18. The Department of Education reimburses course sponsors at a rate of \$100 per student. However, Section 321.189(9), Code of Iowa requires the Department to reimburse course sponsors based on the actual cost of providing the courses. Currently no uniformity exists between the course sponsors on how expenses are reported to the State, therefore the reported costs are unreliable.

ASSUMPTIONS

1. The reimbursement rate is \$100 per student.
2. Existing law will result in an increase of approximately 5,500 annual course participants.

FISCAL IMPACT

House File 2225 will result in a cost avoidance of approximately \$550,000 (5,500 students @ \$100) to the Road Use Tax Fund.

Under existing law, which becomes effective July, 1, 1997, the current level of funding for the Motorcycle Education Program will not be sufficient to fund the anticipated increase in students.

SOURCES

Department of Transportation
Department of Education
Legislative Fiscal Bureau

(LSB 4090hv, DLR)

CHAIR WELTER
HENTON
McCoy

Succeeded By
SF/HF 2225

HSB 606
TRANSPORTATION

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON WELTER)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

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S.F. _____ H.F. _____

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RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2225, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved March 29, 1996

TERRY E. BRANSTAD
Governor