

Approved: 2/25/93
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Chairperson Ben Vidrickson at 9:00 a.m. on February 23, 1993 in Room 254-E of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Martha Ozias, Committee Secretary

Conferees appearing before the committee:

Senator Robert Vancrum
Pat Easter, Kansas Driving School, Overland Park
Kurt Winterhalter, Cyr's Driving School, Wichita
Chris Blair, General Manager, Cyr's Driving School, Wichita
Ken McNeill, ABATE of Kansas Inc.
Betty McBride, Director, Division of Vehicles
Gary Robbins, Executive Director of the Kansas Optometric
Association

Others attending: See attached list

Senator Vancrum spoke briefly on **SB 214** which would impose certain powers, duties and functions upon the Division of Vehicles of the Department of Revenue and introduced Pat Easter to elaborate. (See Attachment A)

Pat Easter expressed some concerns of the Driving Schools and requested the transferring of their businesses from the Board of Education to the Division of Motor Vehicles, and using them as an alternative method for certifying instructors. She pointed out that 46 states have driving schools under the Department of Commerce or the Department of Motor Vehicles rather than the Board of Education. (Attachment B)

Kurt Winterhalter and Chris Blair requested entrepreneurial opportunities under a governmental agency in order to provide the public with services that they want and need. (See Attachments C and D)

Ken McNeill addressed the committee and requested that motorcycle safety programs also be placed under the Department of Transportation and Division of Motor Vehicles which is used to dealing with adults and their time constraints. (See Attachment E)

Betty McBride expressed some concerns from her Department regarding SB 214. She pointed out that this would transfer the certification of private driver training instructors and schools to the Division of Vehicles and would require the Department of Revenue to adopt additional requirements for licensing schools and instructors which may include special requirements and fee schedules. She recommended further study of the bill to consider what agency would be most appropriate to administer this program. (See Attachment F)

Attention was turned to **SB 129**, concerning vision standards for drivers licenses and Gary Robbins presented a balloon version of the bill which would give optometrists liability protection from civil action. (See Attachment G)

A letter of concern regarding **SB 129** was distributed to the committee from Bill Himes of Kansas City, Kansas. (See Attachment H)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES, Room 254-E
Statehouse, at 9:00 a.m. on February 23, 1993.

Senator Burke made a motion to approve the amendment to **SB 129**. This was seconded by Senator Papay. Motion carried.

A motion was then made by Senator Burke to recommend **SB 129** favorable for passage as amended. Senator Harris seconded this and the motion carried.

Senator Tiahrt made a motion to approve the minutes of the February 11th and 22nd meetings. A seconded was made by Senator Papay. Motion carried.

The meeting was then adjourned by the chairman.

The next meeting is scheduled for February 24, 1993.

GUEST LIST

SENATE TRANSPORTATION COMMITTEE

DATE: February 23, 1993

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Dorothy A Foss	5849 Broadway, ^{Great Bend} Kan	First National Bank; Trust
Lula Mae Alpers	Hudson, Kansas	Substitute Teacher
WAYNE ALPERS	HUDSON, KANSAS	Share Cropper
Eugenie Seyfert	Claffin, Kans	retiree
Dale + Helen Phillips	1217 Coolidge, Great Bend	Retired
Marjorie Schuster	Great Bend, Ka	retired
Vernon Schuster	Great Bend, Ka	retired
Harold Seyfert	Claffin, Kansas	retired
THYLIS WHELAN	GREAT BEND, KS	RETIRED
Don Whelan	Great Bend, 1/2	DB Owner of Commerce
LeRoy E. Zoos	Great Bend, Kans	Ret
Bobbie Oberle	Manhattan KS	Little Apple Driving School
Glaire Buehler	Claffin, K's	Golden Eagle Club, Gr. Bend
Pat Wiechman	Topeka	K. A. D. R. A.
KEN MENFILL	PEABODY	ABATE
Kurt Winterhalter	Wichita	Cyr's Driving School Inc.
GARY DAVENPORT	TOPEKA	Ks Motor Carriers Assn
Gary Robbins	Topeka	Ks Optometric Assn
John W Smith	Topeka	KDOR
Betty Mc Bride	Topeka	KDOR
Teeny Maple	Topeka	KHIP

GUEST LIST (continued)

DATE: February 23, 1993

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Chris Blair	1518 W. DOUGLAS WICHITA	CYR'S DRIVING SCHOOL
FRANK BOEHMER	CH FLA to 3320 Monroe	Q. J. J. E. A. G. E. C. L. M. S.
Mayorie Harrington	5926 Eisenhower #25 Great Bend	Gr. Bend Tribune
Norman L. Ochs	1625 Monroe St. Bend.	First National Bank Golden Eagle Club et.
Catherine Caraway	2509 Cheyenne Dr. Ht. Bend	Golden Eagle Club - HB
Larry Holman	2626 Paseo Dr Great Bend	" " " guest
Bob Remmert	2214 Jackson. Mt-Bend	" " " "
Irene Remmert	2214 Jackson Ht. Bend	" " " guest
Edward (Miller)	1524 Cherry Lane Ht Bend	" " " "
Lenora Miller	1524 Cherry Lane Ht Bend	" " " "
Edna Belle Engelmann	2525 Quivira St Bend	" " " "
Calista Stuart	701 10th St Bend	
Jeanne Gotsche	1616 Van Fleet "	"
Oro Gotsche	"	"
Margaret Lammien	Rt. 1. Pawnee Rock "	"
August Lammien	Rt 1 Pawnee Rock Ks	"
Edna Hauser	2215 Cleveland	" "
Floyd Hauser	2215 Cleveland	" "
Luther B. Ochs	1625 Monroe	" "
Helen Husley	2522 Quivira	" "
Lawrence E. Husley	2522 Quivira	" "
FAT EASTER	7327A W. 97 TH O. P.	KANSAS DRIVING SCHOOL

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COMMITTEE ASSIGNMENTS

VICE CHAIRMAN ENERGY AND NATURAL RESOURCES
MEMBER WAYS AND MEANS
JUDICIARY

TESTIMONY TO
SENATE TRANSPORTATION COMMITTEE ON
SENATE BILL 214

Senate Bill 214 was introduced by me at the request of my friend Pat Easter who is with me today. Pat runs the Kansas Driving School which is a private driving school that is fully accredited by the State of Kansas to not only teach students to drive but to give them the driving test as well.

The problem is that the Department of Education currently charged with regulation of driving schools and with determining whether instructors hired are in fact qualified. To say the least, I think the department really would rather concentrate on academic subjects or at the very most be involved with driver's education courses. The one private course for certifying instructors has been taught at Emporia State for several years has been an on again, off again type program. Instructors that are certified in the summer really are too late for the peak season which is also the summer. Driving schools really would be better regulated by the Department of Revenue or someone whose focus is other than driver's education courses. I'm really here to introduce Pat Easter to the committee, who is far more knowledgeable about this subject matter than I.

Sincerely,

Senator Bob Vancrum

ATTACHMENT A

2/23/93

TRANS.
2/23/93
A-1

Good Morning!

On behalf of all the professional driving schools, I wish to thank you for this meeting.

My name is Patricia Easter with Kansas Driving School in O.P. I have been in business since 1987. Prior to having my own business, I instructed driver training in Wichita and have been involved in the driving industry for over 20 years.

How many of you want safer drivers on our streets?

We, in the professional driving school want to give quality education for our emerging drivers.

We are asking that you consider SB214 transferring our businesses from the Bd. of Ed. to the Dept. of Rev., Div. of Motor Vehicles, and giving us an alternative method for certifying instructors.

We need properly trained certified instructors in order for our business to grow.

There are 4 points I would like to discuss:

1st We need certified instructors. In the past few years the only way a person can be certified is by taking summer courses at Emporia State Univ. These courses begin in June and end approx. the first week in Aug.

How many qualified individuals can spend 9 weeks in school in the summer?

To complete these courses, get transcripts, physical, and other

pertinent information an individual cannot be certified until Sept. This does not work for the professional driving school as our busiest time is in the summer. We would not be hiring instructors in Sept. with winter approaching and business slowing.

2nd NONE of us are getting any younger!

We need quality certified instructors NOW and will continue to need certified people. In order for these businesses to carry on in the future, we people and the present law gives no alternatives.

3rd You may be asking yourself -- why don't we hire high school DE teachers. We need teachers all yr. as we teach all ages, some lessons being during the week in the daytime.

Also the Bd. of Ed. is implementing a new system of teaching DE. We do not agree that this new method gives quality education.

4th We are governed by the Bd. of Ed., who is our biggest competitor. Out of 50 states 46 states have driving schools are under the Dept. of Commerce or Dept. of Motor Vehicles. Very few states are under the Bd. of Ed.

I want to stress that we are a business and not part of the school system. We want to keep quality education in Kansas and properly trained instructors.

This bill is not to make things easier for us, nor to take the load off of us.

We definitely need an alternative method for certifying instructors. We feel that this can best be accomplished by being under the jurisdiction of the Dept. of Revenue, Division of Vehicles. We have always had a good relationship with the Div. of Motor Vehicles.

Thank you.

My name is Kurt Winterhalter, I am a driving instructor associated with Cyr's Driving School in Wichita. We are in the business to train drivers to drive and be safe, also to make a living. As commercial, privately owned schools, our reputation in our communities is the basis of our survival. Our chief competitors other than each other is driver education in the public schools.

Commercial schools like our own, have been and are currently under the Board of Education and their jurisdiction. To be under the control of your main competitor and unable to provide services that the public wants is ridiculous. To provide us with the entrepreneurial opportunities please place our business under a Governmental Agency that doesn't compete with our business.

My name is Chris Blair, I am a driving instructor and the General Manager of Cyr's Driving School. In our business we serve the public, we train people to drive...teen-agers, seniors, foreign speaking, the impaired and handicapped. The public has services that they want and need and are willing to pay for. In trying to set up programs that meet these needs, we run into repeated disappointment when dealing with the Board of Education. Either they don't want us providing more services, or they wish to keep control of and create part time jobs for their High School Instructor buddies. Doing things like driver improvement programs, traffic violator programs, diversion programs, etc. is the mainstay of businesses similar to ours in other states. But the Board of Education will not help us implement them here. At least put us under someone who will not hinder us.

TESTIMONY IN
SUPPORT OF SB 214
PRESENTED TO
SENATE TRANSPORTATION AND UTILITIES COMMITTEE
BY
ABATE OF KANSAS INC.

MR. CHAIRMAN; MEMBERS OF THE COMMITTEE. I WANT TO THANK YOU FOR THE OPPORTUNITY TO DO SOMETHING UNUSUAL FOR MYSELF AND MY ORGANIZATION.

I AM HERE TO TESTIFY IN FAVOR OF SB 214.

I AM NOT QUALIFIED TO TESTIFY ABOUT THE AUTOMOBILE OR TRUCK DRIVING PORTION OF THIS BILL ALTHOUGH I'M SURE THAT YOU WILL BE HEARING FROM THOSE THAT ARE.

I AM QUALIFIED TO DISCUSS MOTORCYCLE SAFETY AND EDUCATION.

IN THE STATES THAT MOTORCYCLE SAFETY PROGRAMS ARE EFFECTIVE THEY ARE IN EITHER THE DEPARTMENT OF TRANSPORTATION OR THE DEPARTMENT OF REVENUE INSTEAD OF THE DEPARTMENT OF EDUCATION. IT IS NOT THAT THE PEOPLE ARE BETTER OR WORSE IN THESE DEPARTMENTS BUT IN PRIORITIES AND WAYS OF THINKING.

THE DOE IS USED TO DEALING WITH CHILDREN, THEIR THINKING, THEIR LACK OF KNOWLEDGE AND THEIR SCHEDULES.

THE DOT AND DVM ARE USED TO DEALING WITH ADULTS AND THEIR TIME CONSTRAINTS. MOTORCYCLE EDUCATION AT THIS TIME IS AIMED TOWARD THOSE UNDER 18 AND THEIR NEEDS. WHILE THIS IS NOT IMPROPER THE MAIN THRUST OF MOTORCYCLE EDUCATION AT THIS TIME NEEDS TO BE THOSE ADULTS WHO NOW RIDE AND HAVE HAD NO TRAINING EXCEPT FOR COW PASTURE RIDING.

ONE OF THE BENEFITS OF PROPER RIDERS TRAINING IS TO BREAK THE BAD HABITS ACQUIRE WHILE LEARNING THIS WAY.

BECAUSE OF THE GRANDFATHER CLAUSE IN THE KANSAS MOTORCYCLING LAW WE ARE NOW IN THE POSITION OF HAVING 231,000 LICENSED MOTORCYCLISTS IN A STATE WITH 48,000 STREET MOTORCYCLES. A LARGE NUMBER OF THESE PEOPLE HAVE NOT BEEN WITHIN 20 FEET OF A MOTORCYCLE IN THEIR LIVES.

THESE PEOPLE ARE NOW REACHING THE AGE THAT THEY CAN AFFORD TO RIDE MOTORCYCLES AND ARE STARTING TO DO SO IN INCREASING RATES.

WE ASK YOU TO PASS THIS BILL SO THAT THEY CAN BE PERSUADED TO LEARN TO RIDE PROPERLY AT THE LEVEL NEEDED. THESE PEOPLE DON'T NEED BASIC HIGHWAY RULES AND REGULATIONS BUT INTENSIVE MOTORCYCLE TRAINING.

IF YOU WILL LOOK AT THE ATTACHED SHEETS YOU WILL SEE A LAY OUT FOR THE COURSE THAT IS USED IN THE OTHER 49 STATES AND AROUND THE WORLD.

WE ASK YOU TO AMEND THIS BILL TO MAKE THIS THE STANDARD FOR MOTORCYCLE EDUCATION IN KANSAS. IT IS HIGHER THAN THE STANDARDS REQUESTED IN THIS BILL. AND HAS PROVEN ITS EFFECTIVENESS IN A LARGE NUMBER OF STATES.

THANK YOU

KENNETH R. MCNEILL

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Course Materials and Administration

INTRODUCTION

Instructors of a motorcycle training course have taken on an important responsibility—teaching motorcyclists to ride safely. This is a task that must be done thoroughly for new riders to benefit most and enjoy safe motorcycling.

The *Motorcycle RiderCourse* is a complete course of instruction for street riders of all ages. It can be presented in a variety of instructional settings: community colleges, universities, vocational schools, military establishments, adult education programs, community programs, high schools, motorcycle clubs, and others. It can be sponsored by civic groups, government agencies, police departments, education entities, motorcycle clubs, fraternal organizations or private individuals.

The *Motorcycle RiderCourse: Riding and Street Skills* is structured to allow sponsors to provide the training their students need. Beginning with a core curriculum of 15 basic hours, sponsors can choose additional training modules. The core curriculum was designed to assure students learn each basic step in progression. Skipping steps or moving exercises around will diminish the student's learning capability. Some students will accomplish the course in 15 hours. Others may choose or need to take additional training.

The course is based on extensive data and research; it has been evaluated to ensure quality and ease of administration. All the material needed is supplied in this course; sponsors must supply the planning. If done with care and attention to details, your courses will be successful.

THE CURRICULUM

The *Motorcycle RiderCourse: Riding and Street Skills* contains:

■ Student Workbook

■ One Video

1. "For the Joy of Motorcycling" introduces motorcycling and provides an overview of the MRC:RSS.
2. "Controls" covers motorcycle control location and operation.
3. "Ready to Ride" addresses mental preparation, proper protective gear, riding attitude and the pre-ride check.
4. "Basic Riding Skills" describes and analyzes basic riding skills.
5. "Street Strategies" develops mental strategies for street riding.
6. "Advanced Turning and Braking" describes, analyzes and demonstrates higher-level riding skills.
7. "Special Situations" describes and demonstrates techniques for dealing with special riding situations.
8. "Riding Straight" discusses alcohol, drugs and riding.

■ Instructor Guide

Optional Modules

In addition to the 15-hour core curriculum, sponsors may select additional hours in the following areas:

1. Basic skills evaluation
2. Basic skills practice and remediation
3. Higher level skills and practice
4. Motorcycle inspection and care
5. On-street practice and testing (for future development)

As additional training materials are developed by the MSF, they will be added to this core curriculum.

ADMINISTRATION

For complete details on how to organize and conduct a rider training program, refer to the Motorcycle Safety Foundation's "Administrator's Guide."

Enrollment Eligibility

Students enrolling in a rider training course should possess either a valid automobile driver's license, or have successfully completed a basic driver education program. If a student does not meet one of these requirements, additional classroom instruction on rules of the road will be needed. Other enrollment requirements include:

- Parental permission (depending on student age).
- Near legal riding age.
- Ability to ride a bicycle (balance).
- Completion of a waiver form (see "Supplementary Materials").

Class Size

The number of students that can be taught effectively at the same time depends on the size of the classroom and the range, the availability of motorcycles, and the experience and teaching skill of the instructor.

Classroom: One instructor can handle 24 students. Larger class sizes affect the special teaching techniques designed for this course.

Range: It is recommended that when conducting range exercises no more than six riders be under the supervision of one instructor. Twelve riders with two instructors is considered maximum unless the range is large enough to accommodate additional students and instructors. When the instructor is inexperienced, the student/instructor ratio should be no more than six to one. Experienced instructors working alone may supervise a maximum of eight students.

Insurance

Before starting the course, adequate insurance must be provided to protect the sponsoring agency, the instructor, the student and the dealers. The following coverages are recommended:

1. Comprehensive protection (covering damage to the motorcycles from fire, theft, etc.).
2. Collision protection.
3. Medical payments protection.
4. General liability.

The sponsor may wish to make group medical insurance available to accommodate students who are not covered by family health policies. If medical insurance is not available, the students should be informed when they register for the course.

Instructor

The instructor is responsible for conducting all classroom and range instruction. Typically one instructor is designated as "lead instructor" with responsibility for supervising other course personnel during the conduct of the course.

Assistant Instructor

The assistant instructor usually demonstrates the exercise on the range as the instructor explains the evaluations. The assistant instructor then assumes the assistant instructor position to evaluate and coach student performance.

Program Aide

In some cases, it is useful to have a program aide to help in non-instructional roles. These aides can provide many forms of assistance — from preparing and maintaining the motorcycles for instruction, placing the cones on the course under the supervision of the assistant instructor, to enrollment assistance and more.

PROFESSIONAL STANDARDS FOR TRAINING

The professional standards established for teaching the *Motorcycle RiderCourse: Riding and Street Skills* were created to help ensure that motorcycle safety education is presented in a safe, efficient and professional manner. It is the Motorcycle Safety Foundation's belief that high training standards applied in a professional manner can foster expansion and growth of safe motorcycling.

The Training Program

The Motorcycle Safety Foundation's *Motorcycle RiderCourse: Riding and Street Skills* is used as the basic curriculum. Modifications, including additions or deletions, must be submitted to the MSF for review and approval.

Only MSF-certified instructors teach the *RiderCourses*. Preferably two instructors teach all range exercises when there are more than six students. The range training facility is free from pedestrian, animal or vehicle traffic. The pavement is suitable for riding maneuvers such as sharp turns, braking and safe vehicle travel. The surface provides good traction. There are no barriers that present an unsafe environment. Every possible precaution is taken to ensure the safety of each student.

All students and instructors wear protective gear when riding during the course, to include:

1. Helmet and eye protection.
2. Over-the-ankle footwear (not cloth, canvas, etc.).
3. Long-sleeved shirt or jacket.
4. Long non-flare denim pants or material of equivalent durability.
5. Full-fingered gloves, preferably leather.

Students, motorcycles, the sponsor and instructors are adequately protected by insurance.

Loan motorcycles are carefully maintained in excellent operating condition for the safety of the students.

Course Completion Requirements

To be eligible for successful course completion, students must attend and complete all classroom and range modules of the 15-hour core curriculum and pass the knowledge and skill evaluations. MSF course-completion cards may only be given to graduates who achieve 80% correct responses for the knowledge test and 20 (or less) penalty points for the Level II skill test.

The Instructor

Only MSF-certified instructors teach the MSF *RiderCourses*. MSF-certified Instructor Rules of Professional Conduct require instructors at all times:

1. Conduct *RiderCourses* that meet the standards of the MSF curricula.
2. Correctly demonstrate all range exercises.
3. Correctly evaluate and coach student riding skills.
4. Maintain student safety.
5. Demonstrate safe riding habits by always wearing protective gear when riding to, from and during rider training activities. Ideally, all protective gear is worn at all times.
6. Currently operate a motorcycle on a frequent, routine basis.
7. Ride alcohol and drug free.
8. Keep a good riding and driving record.
9. Complete instructor refresher courses when available.
10. Keep MSF informed of any personal address change; return MSF instructor surveys promptly.
11. Seek prior MSF approval before using the credibility of their certification as an instructor to take a public position on legislative issues or when addressing a public policy forum.

RIDER EDUCATION RECOGNITION PROGRAM

The "Rider Education Recognition Program" (RERP) is sponsored by the Motorcycle Safety Foundation. The purpose of the program is to:

1. Make available research-based curricula for training new and experienced motorcyclists.
2. Provide training standards for Instructors, Chief Instructors and course sponsors.
3. Provide course-completion standards to include knowledge and skill evaluations.
4. Provide a system for the loan of training motorcycles.
5. Provide a national toll-free number (1-800-447-4700) for student referrals.
6. Provide technical, administrative and promotional assistance.
7. Provide completion cards to qualifying graduates which can qualify them for insurance discounts and tuition reimbursements.
8. Provide affordable course insurance with the *RiderCourse* Insurance plan.

Enrollment is required annually. Sponsors may offer the MSF *Experienced RiderCourse* and/or the MSF novice course, the MRC:RSS. Permission to use MSF's *RiderCourses* is conditional upon acceptance into the RERP system.

RiderCourse INSURANCE PLAN

RERP sponsors are eligible to participate in the *RiderCourse* Insurance Plan. This optional plan provides liability insurance, blanket accident insurance and a physical damage policy for training motorcycles. There is no minimum premium. To apply for this coverage, use the application located in "Supplementary Information."

ANNUAL SURVEY/ RE-ENROLLMENT

Annually, the MSF collects and reports on the number of students trained nationwide

by all programs. This annual survey also serves as the annual RERP re-enrollment for all training sites. Failure to respond to the annual survey will result in removal from the RERP system.

PROMOTING YOUR COURSE

For complete details on how to promote your motorcycle training program refer to the Motorcycle Safety Foundation's "Promotion Manual."

The Motorcycle Safety Foundation's national, toll-free 800 number is available to all "Rider Education Recognition Program" members who offer the course to the community. This free service refers callers to a training program near them.

Periodically, the MSF creates new promotional materials. For the latest information available contact the Communications Department at the Motorcycle Safety Foundation.

MANAGING YOUR RISKS

When making a presentation or conducting a motorcycle training course, MSF recommends each presentation/class begins with the following statement: "Today's presentation is being made by me with materials supplied by the Motorcycle Safety Foundation as a public service. This does not imply any endorsement by MSF, the sponsor or any other sponsors, supporting organizations, equipment, motorcycles or other materials involved in the presentation of a *RiderCourse*. Our aim is to expose you to ways to ride more safely. While we cannot and will not assume responsibility for the safe operation of your motorcycle, it is our hope that by presenting responsible viewpoints on safety we will expose riders and the general public to proper and prudent motorcycle operation." At the conclusion of the program it would be prudent to include a gentle reminder that "this was a public-service presentation and not a program designed to guarantee a rider's safety."

The Instructional Plan

The *Motorcycle Rider Course: Riding and Street Skills* program has 15 hours of core instruction. Seven of these hours are spent in the classroom in preparation for eight hours of range activities. This includes both skill and knowledge evaluations for successful completion of the course.

The MRC:RSS is structured into two distinct levels: Level I and Level II.

LEVEL I

Level I includes classroom and riding activities designed to give riders an overall understanding of motorcycling and prepares them with basic riding skills.

Building Blocks

The basic riding skills to be accomplished in Level I are:

1. Riding in a straight line
2. Turning
3. Shifting
4. Stopping

The instructor must successfully conduct at least four required "armchair" practices in the classroom and six critical coaching activities on the range during Level I.

LEVEL II

Level II focuses on the application of the basic riding skills to on-street riding conditions. Level II develops and increases skill through practice and prepares riders with mental strategies for dealing with critical street-riding situations.

EVALUATIONS

In the classroom, riders are consistently evaluated and coached through the effective use of questions and answers. On the range, riders are evaluated and coached according to the objective, the evaluation criteria and the coaching tips for each exercise.

The three formal evaluations are:

1. A knowledge test, required for successful completion;
2. Mid-course skill evaluation — optional;
3. End-of-course skill evaluation — required for successful completion.

OPTIONAL MODULES

Optional training and evaluation modules have been prepared to permit the expansion of the training offered beyond the core 15-hour curriculum.

You may choose to select these optional materials as a part of the overall program offered or on a case-by-case basis to suit the individual needs of your students. By using either method the selection of optional modules will strongly influence the scheduling of course classroom and range exercises.

These optional modules include:

1. Level I Skill Evaluation
2. Level I Skill Practice
3. Level II Increasing Skills
4. Motorcycle Inspection and Care (purchased separately)
5. On-Street Training (for future development)

SCHEDULING

Efficient scheduling is an important part of planning your program. It can make the difference between high and low attendance. An inconvenient schedule, several evenings in a row, for example, could deter otherwise interested persons from enrolling. Schedule your course to catch and hold the interest of your students.

The instructional plan for the *Motorcycle RiderCourse* is divided into modules with suggested times for completion. These modules are flexible enough to create a schedule that will meet the particular needs of your students. Be sure to include sufficient breaks throughout the course. Breaks are **NOT** included in the curriculum; they must be added to the schedule.

To assure a smooth progression from module to module, a short warm-up and review of previous range activities should be conducted at the beginning of each new range day.

The *Motorcycle RiderCourse* is research-based and evaluated. Building blocks are carefully sequenced to allow for maximum learning experience. For this reason, the sequence of instruction as outlined in these directions should be carefully followed.

Level I — Basic Skills Development (7 hours)

- **Two Classroom Modules** Consist of 3 hours of instruction and are presented prior to the Level I range activities.

- **Four Range Modules** Consist of 4 hours of instruction, not including student rest periods. Course sponsors should schedule 15-20 minutes of rest for each hour of instruction during Level I range activities. Frequent, short break periods are recommended.

Level II — Street Skills Development (8 hours)

- **Five Classroom Modules** Consist of 4 hours of instruction. The Level II classroom activities may be combined and presented prior to the Level II range activities, with the exception of Module 15, the course wrap-up. The individual Level II classroom modules must be conducted prior to the corresponding range module(s). For example, Module 7 before Module 8 and Module 9 before Module 10.

Note: Level II classroom activities should not be scheduled prior to Level I range, Module 5.

- **Four Range Modules** Consist of 4 hours of instruction including minimal (10-15 minute) rest periods.

Optional Modules

Module 16 — Level I Skill Evaluation (Range)

Consists of 1 hour of instruction and should be conducted after completion of the Level I range activities.

Module 17 — Skill Practice (Range)

May be conducted as a whole or in part, depending on student needs, after completion of the Level I range activities. It may be scheduled before or after Module 16, Level I skill evaluation (if used).

Module 18 — Increasing Skills (Range)

Consists of 1 hour of instruction and should be conducted after completion of Level II range evaluation.

Module 19 — Motorcycle Inspection and Care (Range)

Consists of one hour of classroom/range activity and may be conducted anytime after Level I.

Module 20 — Street Riding (Reserved for future development)

Remedial Instruction

Remedial instruction may be necessary during the *Motorcycle RiderCourse* to accommodate students who are having difficulty mastering certain riding skills.

It may be necessary to schedule additional modules to assist these students. Schedule them before the next regular range session. This permits the students to master the skills and to continue in the normal progression of the course.

To permit efficient scheduling of instruction, it is advisable to plan for remedial lessons in your master schedule.

Instructor/Student Ratios

Classroom instruction can be conducted effectively with 24 students. This class size requires 2 separate range periods for each range module. The design of the standard range limits activities to 12 students with 2 instructors.

The following are recommended instructor/student ratios:

Classroom — 1 instructor: 24 students

Range — 1 instructor: 6 students

Sample Schedules

Due to the flexibility of the *Motorcycle RiderCourse*, the following schedules are presented as an aid in helping sponsors create schedules that satisfy their particular needs.

Sample Schedules

CORE CURRICULUM — NO OPTIONS

One-Weekend Accelerated Schedule
12 Students: 2 Instructors

	Friday	Saturday	Sunday
AM		Module 3 Module 4 Module 5	Module 6 Module 8 Module 10
PM	Module 1 Module 2	Module 7 Module 9 Module 13 Module 14	Module 11 Module 12 Module 15

CORE CURRICULUM PLUS OPTIONAL MODULES 16, 17 AND 18

Nine Meetings (5 weeks)
12 Students: 2 Instructors

	Day 1	Day 2
WK 1	Modules 1 & 2	Modules 3 & 4
WK 2	Modules 5 & 6	Modules 16 & 17
WK 3	Modules 7 & 8	Modules 9 & 10
WK 4	Modules 11 & 12	Modules 13 & 14
WK 5	Modules 18 & 15	

CORE CURRICULUM PLUS OPTIONAL MODULES 16, 17 AND 18

Five Meetings
12 Students: 2 Instructors

Day 1	Modules 1, 2 & 3	4 hours
Day 2	Modules 4, 5 & 6	3 hours
Day 3	Modules 16, 17, 7 & 8	4 hours
Day 4	Modules 13, 14, 9 & 10	3½ hours
Day 5	Modules 11, 12, 18 & 15	3½ hours

CORE CURRICULUM

Four Meetings

12 Students: 2 Instructors

Day 1	Modules 1 & 2
Day 2	Modules 3, 4 & 5
Day 3	Modules 7, 9, 13, 14 & 15 (knowledge test only)
Day 4	Modules 6, 8, 10, 11, 12 & 15 (completion)

CORE CURRICULUM PLUS OPTIONAL MODULES 16 AND 18

Two Weekend Accelerated Schedule

24 Students (2 range groups, A & B): 2 Instructors

	Saturday	Sunday	Saturday	Sunday
AM	(A & B)	(B)	(A)	(A)
	Module 1	Module 3	Module 6	Module 11
	(A & B)	(B)	(A)	(A)
	Module 2	Module 4	Module 16	Module 12
		(B)	(A)	(A)
		Module 5	Module 8	Module 18
			(A)	(A)
			Module 10	Module 15
PM	(A)	(A & B)	(B)	(B)
	Module 3	Module 7	Module 6	Module 11
	(A)	(A & B)	(B)	(B)
	Module 4	Module 9	Module 16	Module 12
	(A)	(A & B)	(B)	(B)
	Module 5	Module 13	Module 8	Module 18
		(A & B)	(B)	(B)
		Module 14	Module 10	Module 15

Overview of the Instructional Plan

Module	Mode (time)	Content	Audiovisual Support	Range Exercises
LEVEL I				
1	Classroom 60 min	Introduction, course objectives	"For The Joy of Motorcycling"	
2	Classroom 120 min	Motorcycle controls, protective clothing, pre-ride check, posture, starting, shifting, stopping, range safety rules	"Motorcycle Controls" "Ready to Ride" "Basic Riding Skills" Slides #1-13	
3	Range 60 min	Controls, starting, stopping, friction zone, straight line		1-4
4	Range 60 min	Circles, weaving, turning, riding slowly		5-8
5	Range 55 min	Sharp turns, shifting, shifting and turning		9-11
6	Range 50 min	Stopping, stopping quickly, stopping on a curve		12-14
LEVEL II				
7	Classroom 60 min	SIPDE, visibility, positioning, riding situations	"Street Strategies" Slides #14-25	
8	Range 50 min	Selecting a gap, turning from a stop, changing lanes, controlling rear-wheel skids		15-17
9	Classroom 60 min	Turning procedures, braking procedures	"Advanced Turning and Braking" Slides #26-29	
10	Range 50 min	Stopping, swerving		18-19

Overview of the Instructional Plan

Module	Mode (time)	Content	Audiovisual Support	Range Exercises
LEVEL II cont. 11	Range 45 min	Stopping quickly on a curve, select safe turning speed		20-21
12	Range 45 min	Level II Evaluation		
13	Classroom 45 min	Different surfaces, passengers, carrying loads, adverse conditions	"Special Riding Situations" Slide #30	
14	Classroom 30 min	Alcohol and drugs and riding	"Riding Straight"	
15	Classroom 30 min	Knowledge test, local regulations		

Optional Modules

Module	Mode (time)	Content	Audivisual Support	Range Exercises
Level I 16	Range 40 min	Level I Evaluation		22-25
17	Range 60 min	Level I skill practice on offset weaving, shifting and turning, stopping quickly		
LEVEL II 18	Range 55 min	Tight u-turns, stop/go, decreasing radius turns, surmounting obstacles		26-28
19	Classroom/ Range 60 min	Motorcycle inspection and care	"Inspection and Care"	
20	On-Street	Street riding sessions (For future development)		

STATE OF KANSAS

Betty McBride, Director
Robert B. Docking State Office Building
915 S.W. Harrison St.
Topeka, Kansas 66626-0001



(913) 296-3601
FAX (913) 296-3852

Department of Revenue
Division of Vehicles

To: Honorable Ben Vidricksen, Chairman
Members of the Senate Committee on Transportation and
Utilities

From: Betty McBride, Director
Division of Vehicles

Date: February 17, 1993

Mr. Chairman, Members of the Committee,

My name is Betty McBride. I appear before you on behalf of the Kansas Department of Revenue, Division of Vehicles, to express concern regarding Senate Bill 214.

This bill would transfer the certification of private driver training instructors and private driver training schools from the Department of Education to the Division of Vehicles. In addition, this bill will require the Department of Revenue to adopt additional requirements for licensing schools and instructors which may include requirements concerning location, equipment, course of instruction, previous records of the school and instructors, financial statements, and the filing of a maximum fee schedule. In short, the division would have to acquire a body of knowledge we feel is already available in the Department of Education.

The Department of Education alone is uniquely qualified to establish the requirements for accreditation of a driver training school, including the auditing of such a school for compliance with accreditation standards. The division does not have an employee at this time with the knowledge or expertise required to effectively evaluate a course of study for driver training or evaluate the school's facilities, or financial statements. Nor does anyone in the division know what guidelines should be used to determine what is appropriate for a driver training school.

In order for the division to comply with Senate Bill 214, the division will have to add another Driver License Examiner IV position, and a clerk III, both of which will have to be trained according to the requirements established by this bill.

We feel the division would have no trouble with testing the results of the training, but not the knowledge of the trainers. Transferring the certification of private driver training schools from the Department of Education, which has the

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knowledge to evaluate this program and has a proven set of standards for successful completion of a course of study, to the Division of Vehicles where there is no experience in this field, could seriously damage the integrity of the certification of driver training programs in Kansas.

Our recommendation to the committee is to further study Senate Bill 214 before considering what course of action should be taken. The committee should consider the current program and its effectiveness, and what agency would be most appropriate to administer this program.

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SENATE BILL No. 129

By Committee on Transportation and Utilities

1-29

AN ACT relating to motor vehicles; concerning vision standards for drivers' licenses; amending K.S.A. 8-295 and repealing the existing 8-255c and sections section

Be it enacted by the Legislature of the State of Kansas:

~~Section 1.~~ K.S.A. 8-295 is hereby amended to read as follows:

Section 1. - see attachment

8-295. Each driver's license examiner shall use the following vision standards for driver's license applicants:

Sec. 2.

(a) Each applicant testing ²⁰/₄₀ or better in at least one eye at the examination station shall meet the vision requirements. The driver's license examiner shall give each applicant failing to meet this test a vision form and refer the applicant to an ophthalmologist or optometrist of the applicant's choice.

(b) Each applicant who has received a vision report from an ophthalmologist or optometrist shall have ²⁰/₆₀ or better vision in at least one eye, with or without corrective lens, as determined by an ophthalmologist or optometrist to be eligible to be issued a driver's license.

(c) The driver's license examiner shall require each individual with a reading of ²⁰/₆₀ in the better eye, with or without corrective lens, to submit to a driver's test.

(d) An applicant failing to meet any of the above standards may be issued a driver's license if the applicant can demonstrate that the applicant can safely operate a vehicle and has had a good driving record for the previous three years. The division may impose reasonable restrictions on such license, as provided in K.S.A. 8-245, and amendments thereto.

(e) An applicant failing to meet the standards in subsections (a) through (d) shall be afforded a hearing in the manner prescribed by subsection (c) of K.S.A. 8-255, and amendments thereto.

(f) *No optometrist or ophthalmologist reporting to the division or to the medical advisory board in good faith any information which such person may have relating to the visual condition or other ability of an applicant for a driver's license to safely operate a motor vehicle shall be subject to a civil action for damages as a result of reporting such information including any information provided in a vision*

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Sec. 1. K.S.A. 8-255c is hereby amended to read as follows:
8-255c. No person reporting to the division or to the medical advisory board in good faith any information that any such person may have relating to the mental or physical condition of an applicant for a driver's license shall be subject to a civil action for damages as a result of reporting such information. No physician or optometrist shall be required by law to volunteer information to the division or to the medical advisory board as to the mental or physical condition of any patient.

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1 report. ~~[No optometrist or ophthalmologist shall be required by law~~
2 ~~to volunteer or report information to the division or to the medical~~
3 ~~advisory board as to the mental, physical or visual condition of any~~
4 ~~patient or driver's license applicant.]~~

5 Sec. 2. K.S.A. 8-295 ~~[is]~~ hereby repealed.

[8-255c and

6 Sec. 3. This act shall take effect and be in force from and after
7 its publication in the statute book.

[are

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FEB - 8 - 93 MON 11:51 0
February 5, 1993

Bill Himes
2713 S. 49th Street
Kansas City, Kansas 66106

Senator Ben Nedrickson
143 N. Capital Building
Topeka, Kansas 66612

Dear Senator Nedrickson,

I am visually handicapped and have been since birth, however, I do not let this obstacle stand in my way of reaching my goals. I was educated at The School For The Visually Handicapped in Kansas City, Kansas. I have built My career around the area of facilities maintenance and have obtained my skills in order to make myself successful in the job market. These fields range from electrical, plumbing, carpentry, auto repair, heating ventilation and airconditioning, asbestos engineering, and HAZNAT training. After applying for employment with Trans World Airlines, my application was accepted within two weeks of it's submission and have been with this company since September 26, 1988. This is the best job I've ever had and with the will of my maker, I hope to retire from TWA.

My wife is also visually handicapped and copes very well with her disability and teaches computer science at the Rehabilitation Institute in Kansas City, Mo. We have two daughters Cami age 10, and Jessica age 9 who both have normal vision. Our daughters have adjusted quite well to their parents handicap.

The purpose of my letter to you is to address the regulations governing the driver's license renewal process for bioptic wearers in the state of Kansas.

I was fitted with bioptics for my left eye in 1981 in the hopes of some day receiving the privilege of operating a vehicle in my home state. In 1986 this dream was realized two years after Federal regulations opened these privileges to people such as myself and inspite of the reluctance of the Department of Motor Vehicles.

When I went in for a renewal of my license in 1988 the examiner read in the doctor's statement that I was a bioptic wearer. Immediately I was told that they could not understand why I had been issued a license to begin with and that they would not reissue my license. After informing them of the four year old Federal regulation they referred to regulations manual and found themselves to; in error. I was informed that I would be required to take the eye exam, the written exam, and the drive test in order to get my renewed license inspite of my perfect driving record.

Thinking these requirements unwarranted, I informed United States

Senator, Bob Dole of my situation. Senator Dole helped me to resolve my problem by contacting Thomas Skinner, director of Motor Vehicles. Senator Dole's office informed me to return to the examination station and that no discrimination would occur in my case. I was received at the door of the station by a very apologetic examiner saying there would be no more hold ups in my renewal.

In December of 1992 I returned to this same licensing station for another thinking there would be no more attempts of discrimination against me. This belief was, however, was incorrect as they attempted to hold me same unfair requirements as they had attempted four years earlier. I informed them of the events of 1988 and that this problem was supposedly resolved at that time. At this time they consulted the new director of Motor Vehicles, Betty McBride. Ms. McBride stated that I would be required to take these tests inspite of what had happened in 1988 and inspite of my still perfect driving record.

Again the examiner said that I should never have been issued a license without a driven test. "Some how you slipped through us, I don't no how, but you did," she said, as if I had possibly frauded the state. Since I had my children with me I was unprepared to take the driven test.

When I returned home I called Senator Dole's office about the discriminating policy of the Department of Motor Vehicles. The senator's office called Ms McBride and was informed that there would be no exception to these regulations.

When I called Ms McBride myself I was informed that not only would I be required to take all three tests for renewals, but I would also be required to submit an annual eye report to her office.

Senator Wedricksen, my eye sight has not changed since birth and Ms McBride is putting extra stipulations on me without probable cause. I have proven myself to the state with my perfect driving record. I have driven approximately 100,000 miles since receiving my license and have yet to be found at fault for a single driving mishap or moving violations. I ask you Sir, why am I to be subjected to this blatant discrimination? How many drivers in the state of Kansas with or without corrected vision can boast a driving record such as my own?

I am not asking that exceptions to the regulations be made in my case. I do not want to be treated any different than any Kansas driver. I believe a bioptic wearer should be treated on the individual bases. If a bioptic wearer's driving record shows that there may be a problem with his or her ability to operate a vehicle then that person should be tested on the road. If, however, the person's record shows no problem with there ability to operate a vehicle, then why should they be required to prove themselves all over again. This only takes up more of the state's time and tax dollars.

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I ask you this, if all drivers that wear corrective lenses are not required to take the on the road test, then why should all bioptic wearers be required to do so?

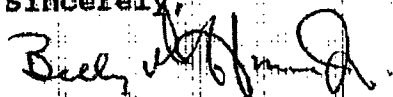
Anyone's vision is subject to change whether due to age, injury or disease. If this person demonstrates the ability to pass the required eye exam then that person should not be discriminated against simply because he or she wears bioptic lenses. Betty McBride's new stipulation on me to submit an annual eye exam report is clearly a discriminatory act toward me as a bioptic wearer. This new stipulation she has put upon me will place the added financial burden of an annual eye exam at the current rate of 150 dollars per visit. Over a four year period this will come to a total of 600 dollars per license. This act increases my driving expense by 450 dollars.

As a visually disabled person I do not take my driving privileges lightly. This privilege allows me and my family the mobility that other people enjoy and keeps me from depending on other people for our transportation needs. When I'm behind the wheel of a vehicle I not only represent myself, but others that wear bioptic lens across Kansas the United States, and the rest of the World. I would not get behind that driving wheel if I thought I would pose a danger to the public, myself, and certainly not to my family.

All I'm asking for is to be treated like anyother lawabiding tax payer without discrimination or hesitation of my fair rights.

To all the legislators of Kansas: Please stop this discrimination and let me get on with my driving privileges.

Sincerely,



Billy D. Himes, Jr.