

DEPARTMENT OF TRANSPORTATION

Adoption of Chapter 19-123
Hawaii Administrative Rules

November 13, 2001

SUMMARY

Chapter 19-123, Hawaii Administrative Rules, entitled, "Statewide Motorcycle, Moped, and Motor Scooter Education Courses and Licensing Skill Test Waiver", is adopted.

"HAWAII ADMINISTRATIVE RULES

TITLE 19

DEPARTMENT OF TRANSPORTATION

CHAPTER 123

STATEWIDE MOTORCYCLE, MOPED, AND MOTOR SCOOTER
EDUCATION COURSES AND LICENSING SKILL TEST WAIVER

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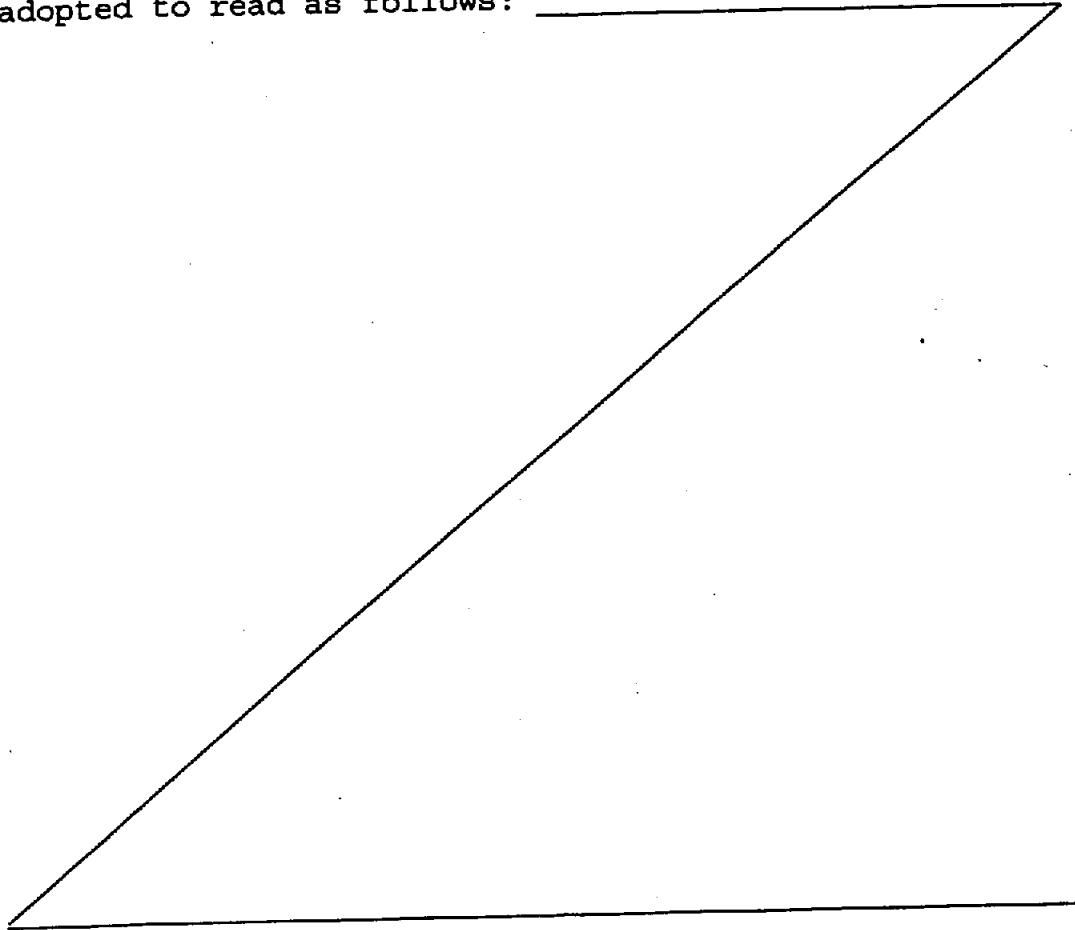
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DEPARTMENT OF TRANSPORTATION

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Hawaii Administrative Rules

November 13, 2001

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entitled "Statewide Motorcycle, Moped and Motor Scooter
Education Courses and Licensing Skill Test Waiver" is
adopted to read as follows: _____



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SUBCHAPTER 1

GENERAL PROVISIONS

§19-123-101 **Purpose.** This subchapter establishes policies and procedures to establish statewide motorcycle, moped, and motor scooter education courses for persons seeking to comply with sections 286-108, 286-108.4, or 431:10G-104, Hawaii Revised Statutes. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-102 **Definitions.** As used in this chapter, unless a different meaning clearly appears from the context:

"Alternate Motorcycle Operator Skills Test (MOST)" is a test designed by the Motorcycle Safety Foundation as described in chapter 19-122-13, Hawaii Administrative Rules.

"Category 1 driver's license" and "Category 2 driver's license" are as defined and specified in section 286-102(b), Hawaii Revised Statutes.

"County" means the county agency having the responsibility for administering the driver licensing program.

"Curriculum" means the course of instruction certified by the department for use in motorcycle, moped and motor scooter education courses.

"Department" means the state department of transportation.

"Director" means the state director of transportation.

"Instructor" means an individual who has been issued a rider education instructor certificate by the department to administer motorcycle, moped or motor scooter education courses in accordance with the requirements of this chapter.

"Moped" shall be as described in section 286-2, Hawaii Revised Statutes.

"Motorcycle" shall be as described in section 286-2, Hawaii Revised Statutes.

"Motorcycle skills test certificate for waiver" means the form provided to students who have successfully completed and passed a rider education course that meets the requirements established for license test waivers in section 286-108(a), Hawaii Revised Statutes.

"Motor scooter" shall be as described in Section 286-2, Hawaii Revised Statutes.

"Primary instructor" is the instructor who is principally responsible for assuring that all program components of the rider education curriculum are delivered to students.

"Rider education" means certified formal instruction, on how to operate a motorcycle, moped, or motor scooter.

"Rider education instructor" means an instructor who has been certified by the department to conduct motorcycle, moped or motor scooter education programs.

"Rider education instructor certificate" means the card issued to a rider education instructor.

"Rider education student completion certificate" means the form given to the student who has successfully completed all prerequisites for a category 1 or 2 driver's license.

"School" is a rider education program operating as a recognized function of a federal, state or county government agency or a program that is sponsored by that agency. [Eff **MAR 04 2002**]

(Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-103 Rider education student completion certificate for persons under eighteen years of age. All persons under the age of eighteen, wishing to receive a category 1 or 2 driver's license, must first complete a driver education course in compliance with chapter 286, Hawaii Revised Statutes. The Driver Education Student Completion Certificate as defined in section 19-122-151 must be shown to the instructor prior to the issuance of a rider education student completion certificate. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-104 Fees. (a) Students shall be responsible for paying all fees for rider education courses.

(b) The maximum fee charged by an instructor for each student shall not exceed \$200 per person for a group course, or \$600 per person for an individual course, to meet the requirements of section 286-108, 286-108.4, or 431:10G-104, Hawaii Revised Statutes.

(c) Fees shall be reviewed bi-annually by the department and shall be adjusted when the consumer price index for transportation in the State of Hawaii rises more than two per cent in the previous two years. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-105 Severability. If any section of this chapter is held invalid for any reason, the invalidity shall not affect the validity of the remaining sections of this chapter. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

SUBCHAPTER 2

REQUIREMENTS FOR RIDER EDUCATION INSTRUCTORS

§19-123-150 **General provisions.** (a) No person shall be certified as a rider education instructor unless the applicant satisfies the following conditions:

- (1) Possesses a valid driver's license recognized by the State of Hawaii with the classification and endorsements required for operation of the class and type of vehicle or device that will be used in rider education;
- (2) Has successfully completed a training course certified, or subsequently certified, by the department in subchapter 5;
- (3) Subject to section 19-123-153(h), applicant has not had more than one moving traffic violation within one year prior to obtaining certification; not more than two moving traffic violations within three years prior to obtaining certification; and not more than three moving traffic violations within five years prior to obtaining certification;
- (4) Has no driving under the influence of alcohol or drugs conviction within ten years prior to obtaining certification;
- (5) Has no driver's license suspension, revocation, cancellation, or disqualification within five years prior to obtaining certification;
- (6) Is at least twenty-one years of age;
- (7) Possesses the equivalent of a high school diploma;
- (8) Has had a valid driver's license recognized by the State of Hawaii for at least three consecutive years immediately prior to submission of application;
- (9) Meets the requirements of subchapter 3; and

- (10) Has effective communication skills; is capable of assessing and observing appropriate student behavior; is capable of engaging students in meaningful rider education activities; and models positive riding behaviors.

(b) Application for instructor certification shall be made on a form supplied by the department which shall require the following information and attachments:

- (1) Full name, residence and business address(es), telephone and fax number(s), and e-mail and website address (if any);
- (2) A copy of original Social Security card;
- (3) A certified copy of the applicant's birth certificate;
- (4) A copy of the person's:
 - (A) Driver's license; and
 - (B) High school diploma or equivalent
- (5) Proof of completion of a rider education instructor course certified, or subsequently certified, by the department in accordance with 19-123-151.
 - (A) Chief instructors who are currently certified by nationally recognized standards, shall be deemed to have met this requirement by submitting proof of their certification.
 - (2) Instructors who have previously taken an instructor course, and are currently certified by a nationally recognized standard, shall be deemed to have met this requirement by submitting proof of successful completion of the course, and proof of an instructor update within the past two years.
- (6) An original traffic abstract dated within one month of the date of submission;
- (7) Proof of insurance in the amounts described in sections 19-123-153(g) and 19-123-156;
- (8) A certified or sealed copy of a Hawaii criminal history record check showing convictions;

- (9) Proof of application for a FBI Criminal History Record Check as defined in subchapter 3;
- (10) A statement agreeing to indemnify, defend and hold harmless the department and the counties of the State from liability resulting from the instructor's teaching of rider's education courses;
- (11) Employment history for the ten years prior to the date of the application, with names, addresses, and telephone numbers of current and former employers that are listed;
- (12) State general excise tax number, if required;
- (13) State tax clearance, if required;
- (14) Two 2" x 2" photos; and
- (15) A sworn statement indicating:
 - (A) Whether the person ever had a teaching certificate or other professional license revoked or not renewed;
 - (B) Whether the person within the past ten years was suspended, fired, asked to resign from employment, or separated from military service under conditions other than honorable;
 - (C) Whether the person had been convicted of a crime, other than a minor traffic offense involving a fine of \$50 or less;
 - (D) Whether the person had been diagnosed as having a mental or emotional condition which may affect the person's ability to responsibly manage, supervise, control and interact with students;
 - (E) A detailed explanation for subparagraphs (A) through (D) when applicable;
 - (F) Names, addresses, and phone numbers of at least five persons (non-relatives) who can attest to the good character of the applicant. [Eff MAR 04 2002]
(Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-151 **Certification courses for instructors.** All applicants for certification as instructors must satisfactorily complete courses in rider education that have been certified, or subsequently certified, by the department. The courses shall meet or exceed nationally accepted and recognized standards. The curricula for instructor courses shall be submitted to the department for review by a task force established by the department and certification by the director, as provided in subchapter 5. No instructor course shall contain less than seventy-two hours of instruction. [Eff **MAK 04 2002**]
(Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-152 **Duties and responsibilities of rider education instructors.** (a) The duties and responsibilities of rider education instructors shall be as follows:

- (1) Conduct instruction in accordance with the requirements of this chapter;
- (2) Maintain records of all students taught for five years. Each record shall include:
 - (A) Student's complete name, address, and birth date;
 - (B) Student's permit or driver license number;
 - (C) Dates the student took and completed the course and attendance record;
 - (D) A copy of the written contract, if applicable, with any person being taught, including amounts charged for the course(s); and

- (E) A notarized statement from a parent or guardian, if the student is less than eighteen years of age, received by the rider education instructor prior to the issuance of the rider education student completion certificate, stating that the applicant has completed forty hours of daytime riding observed by a licensed driver over the age of eighteen. Applicants for a Class 1 or 2 license are exempt from the ten hours of nighttime supervised driving required in section 19-122-162(2)(E);
 - (3) Issue a rider education student completion certificate, as appropriate, when all requirements of this chapter have been successfully completed;
 - (4) If qualified as described in section 19-123-351, issue a motorcycle skills test certificate for waiver to all students who successfully complete and pass a rider education course that meets the requirements established for license test waivers in section 286-108(a), of the Hawaii Revised Statutes.
 - (5) Be in full compliance with all department rules;
 - (6) Cooperate fully with the department in the investigation of any complaint relating to their certification as an instructor under this chapter. Failure to do so will result in the termination of the rider education instructor certificate pursuant to section 19-123-155; and
 - (7) Notify the department of any changes that would disqualify them from meeting the requirements of this chapter. Failure to do so shall result in termination of the rider education instructor certificate pursuant to section 19-123-155.
- (b) The duties and responsibilities of rider education instructors shall also be as follows:

- (1) Exhibit a professional appearance and conduct in personal riding habits, both on the rider training range, and on the street, while always observing the rules of the road;
- (2) Wear the proper riding apparel, as weather, time of day, and riding conditions may dictate, including as a minimum, a U.S. Department of Transportation approved helmet, eye protection, long pants, long-sleeved shirt or jacket of sturdy material, leather over-the-ankle boots and full-fingered leather gloves;
- (3) Operate a motorcycle on a regular basis to maintain a high level of riding proficiency, thereby enabling the instructor to correctly demonstrate all range exercises;
- (4) Be capable of successfully passing motorcycle rider skills evaluations;
- (5) Maintain a high degree of proficiency in evaluating and coaching student abilities and correcting technique errors;
- (6) Maintain the safest possible learning environment for students;
- (7) Maintain a current and up-to-date working knowledge of the latest methods and techniques pertaining to rider education, training and curriculum; motor vehicle laws specifically as they relate to motorcycles, mopeds and motor scooters; and changes in the industry relating to design and safety, protective riding apparel and accessories;
- (8) Successfully complete an instructor update or refresher course relating to rider education at least once every two years that meets or exceeds nationally recognized standards; and
- (9) Teach a minimum of three rider education courses each year. [Eff **MAK U 4 2002**]
(Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-153 Rider education instructor certificate. (a) A rider education instructor certificate will be issued authorizing the instructor to conduct rider education courses.

(b) The rider education instructor certificate will be granted upon satisfactory completion of a training course certified, or subsequently certified, under section 19-123-151 and when all requirements in section 19-123-150, have been met.

(c) The rider education instructor certificate shall be non-transferable.

(d) Subject to subsection (h), the rider education instructor certificate is renewable annually for four years with the submittal of a traffic abstract that records no more than one moving traffic violation within the past year, not more than two moving traffic violations within the past three years; and not more than three moving violations within the past five years; a state tax clearance (if required); completion of a professional development course approved by the department, and proof of general liability and liability insurance.

(e) Every fifth year, the certificate will be renewed upon completion of all requirements in section 19-123-150.

(f) It is the responsibility of the certificate holder to initiate the renewal process.

(g) The instructor shall provide the department a certificate of commercial general liability insurance in the sum of one million dollars, in a form and with provisions satisfactory to the department, listing the State of Hawaii and the counties of the State as additional insureds. If the instructor teaches for a school that is adequately self-insured, a statement to that effect with provisions satisfactory to the department, signed by a legally authorized representative, may be submitted to meet this requirement.

(h) If a certified instructor receives:

- (1) One moving traffic violation in one year, the instructor shall be sent a warning letter by the department;

(e) Every fifth year, the certificate will be renewed:

- (1) Upon completion of all requirements in section 19-123-150; and
- (2) Upon completion of a professional development course approved by the department.

(f) It is the responsibility of the certificate holder to initiate the renewal process.

(g) The instructor shall provide the department a certificate of liability insurance covering commercial general liability in the sum of one million dollars, in a form and with provisions satisfactory to the department, listing the State of Hawaii and the counties of the State as additional insureds.

(h) If a certified instructor receives:

- (1) One moving traffic violation in one year, the instructor shall be sent a warning letter by the department;
- (2) If the instructor receives two moving traffic violations within three years, the instructor's certificate shall be suspended for three months;
- (3) If the instructor receives three moving traffic violations within five years, the instructor's certificate shall be suspended for six months;
- (4) If the instructor receives four moving traffic violations within ten years, the instructor's certificate shall be terminated.

[Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-154 Display of rider education instructor certificate. All instructors shall display their rider education instructor certificate to their students during the time of instruction. [Eff

MAR 04 2002] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

(b) Any instructor may voluntarily surrender a rider education instructor certificate by returning the certificate to the department with a signed letter of explanation.

(c) The department may revoke, suspend, cancel, or terminate the rider education instructor certificate and require the return of the certificate upon any of the following grounds:

- (1) Failure to comply with or satisfy any of the requirements of this chapter;
- (2) Falsification of any records or information required by this chapter or otherwise relating to rider education;
- (3) Commission of any negligent or otherwise wrongful act which endangers the student;
- (4) Driver license suspension, revocation, cancellation or disqualification;
- (5) Inappropriate behavior directed toward a student by the instructor;
- (6) Mental or physical incapacity of the instructor which would prevent the instructor from performing the instructor's duties and responsibilities as described in section 19-123-152;
- (7) Unsatisfactory criminal history record check; or
- (8) Moving traffic violations as described in section 19-123-153(h).

(d) The department may allow the instructor to cure any deficiency, if curable, within thirty days of receipt of notice by the department.

(e) Any applicant whose application has been denied by the department or whose rider education instructor certificate has been suspended, revoked, canceled, or terminated and who has not cured the deficiency may within ten calendar days after receiving the notice of denial, suspension, revocation, cancellation, or termination appeal the department's action by submitting to the department a written request for an administrative review of the decision by

the department. The request shall state the reasons why the application should not be denied, or the rider education instructor certificate suspended, revoked, canceled, or terminated. Upon such request, the department shall respond in writing with an administrative review decision within thirty calendar days. Failure to request a review within ten calendar days after receiving the notice of denial, suspension, revocation, cancellation, or termination of the application or rider education instructor certificate shall be deemed a waiver of a right to appeal.

(f) Any person aggrieved by the administrative review decision of the department may, within ten calendar days of the date of the decision, submit a written appeal of that decision to the department. The department may hold hearings on a timely appeal in accordance with chapter 91, Hawaii Revised Statutes. [Eff MAR 04 2002] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-156 **Motorcycle, moped, motor scooter and operator requirements.** (a) All motorcycles used in rider education courses must meet the following minimum standards:

- (1) The motorcycle must have a current registration and safety check, if required.
- (2) The motorcycle must be in good working condition.
- (3) The motorcycle must be covered by insurance as required in a form and with provisions satisfactory to the department. If the instructor teaches for a school that is self-insured, a statement to that effect, signed by a legally authorized representative, may be submitted to meet this requirement. Minimum insurance requirements are:

- (A) Bodily Injury--\$20,000 per person, \$40,000 per occurrence; and
- (B) Property Damage--\$10,000 per occurrence.

(1) If a student supplies the student's own motorcycle for the course, the instructor will assure that all requirements of this section are in force.

(b) All mopeds and motor scooters used in rider education courses must meet the following minimum requirements:

- (1) The moped or motor scooter must have a current registration and safety check, if required.
- (2) The moped or motor scooter must be in good working condition.
- (3) The moped or motor scooter must be covered by insurance as required in a form and with provisions satisfactory to the department. If the instructor teaches for a school that is self-insured, a statement to that effect, signed by a legally authorized representative, may be submitted to meet this requirement. Minimum insurance requirements are:

- (A) Bodily Injury--\$20,000 per person, \$40,000 per occurrence; and
- (B) Property Damage--\$10,000 per occurrence.

(4) If a student supplies the student's own moped or motor scooter for the course, the instructor will assure that all requirements of this section are in force.

(c) All persons riding the motorcycle, moped or motor scooter must use protective gear, including a U.S. Department of Transportation approved helmet, eye protection, long pants, long-sleeved shirt or jacket of sturdy material, full-fingered leather gloves, and leather over-the-ankle boots at all times. [Eff

MAR 04 2002] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-157 Rider education seal. The department will issue each certified instructor a seal which they shall use to place a seal upon the rider education student completion certificate. The director may charge instructors a refundable deposit of up to \$100 for the seal. The deposit, if any, shall be returned without interest when the seal is returned to the department. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

SUBCHAPTER 3

RIDER EDUCATION INSTRUCTOR APPLICANTS; CRIMINAL HISTORY RECORD; EMPLOYMENT HISTORY; BACKGROUND CHECK

§19-123-200 Definitions. As used in this subchapter:

"Affected individual" means the person to which a Federal Bureau of Investigation (FBI) identification record pertains.

"Applicant" means a person seeking certification as a certified rider education instructor according to the requirements of subchapter 2.

"Arrest records" means criminal history information obtained from sources other than the FBI pertaining to arrests for alleged criminal behavior.

"Background information" means information pertaining to a person's behavioral history that may indicate a significant risk to the health, safety, or well-being of students.

"Children" means students under the age of eighteen who are enrolled in rider education courses certified by the department in subchapter 4.

"Clean criminal history record" means that an individual's criminal history record check shows no indication of criminal behavior.

"Criminal conviction record" means criminal history information obtained from sources other than the FBI pertaining to an individual's conviction of a crime.

"Criminal history" means information about a person's actual or alleged criminal offense(s).

"Criminal history record" means evidence of a person's actual or alleged criminal offense(s) (arrests, convictions, and supporting information) on file with law enforcement agencies, courts, the Hawaii criminal justice data center, or in the national criminal history record files.

"Criminal history record check" means an examination or search for evidence of an individual's criminal history by means of:

- (1) A search for the individual's fingerprints in the national criminal history record files and, if found, an analysis and any other information available pertaining thereto; and
- (2) A criminal history record check conducted through the files maintained by the Hawaii criminal justice data center.

"Department" means the department of transportation.

"Employment history" means information relating to a person's past work experiences.

"FBI identification record" means a listing of certain information taken from fingerprint cards submitted to and retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprint cards submitted in connection with federal employment, naturalization, or military service. The FBI identification record is often referred to as a "rap sheet". The identification record includes the name of the agency or institution which submitted the fingerprint card to the FBI. If the fingerprint card concerns a criminal offense, the identification record includes the date arrested or received, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint cards, disposition reports, and other reports submitted by agencies having criminal justice responsibilities.

Therefore, the FBI Identification Division is not the source of the arrest data reflected on an identification record.

"FBI rules to correct the FBI identification record" means rules and regulations published in the Federal Register by the FBI pertaining to the procedure for the affected individual to obtain, review, and request change, correction, or updating of any alleged deficiency in the FBI identification record.

"Fingerprinting" means the recording of a person's fingerprints using conventionally accepted equipment and procedures to satisfy the quality, readability, and specifications of the FBI's criminal history record checking requirements. [Eff MAR 04 2002]
 (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-201 **General rule.** (a) Applicants who work in close proximity to students shall be of reputable and responsible character.

(b) The department may refuse to issue a rider education instructor certificate to, may terminate the rider education instructor certificate of, or may revoke the rider education instructor certificate of any applicant who has a criminal history record, employment history, or background involving violence, alcohol or drug abuse, sex offense, offense involving children or any other circumstance which indicates that the applicant may pose a risk to the health, safety, or well-being of students. The refusal, termination, or revocation action may be based on:

- (1) Conviction of a crime which indicates that the person poses a risk to the health, safety, or well-being of students (the type of criminal offense, when it occurred, and evidence of rehabilitation may be considered in determining whether the criminal history record indicates a risk to students);

- (2) Other information or evidence which reflect upon the character and fitness of the person which indicates that the person poses a risk to students;
- (3) Failure to accurately and fully complete and submit certification application documents;
- or
- (4) Failure to declare, concealment, or falsification of criminal history, employment history, or background information to the department. [Eff **MAR 04 2002**]
(Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-202 Applicant duty to provide information. (a) Except as otherwise specified or exempted from criminal history record check requirements, any person who teaches rider education or seeks certification as a rider education instructor with the department in a position which places that person in close proximity to students is required to provide to the department:

- (1) An accurately and fully completed certification application with all requested information and documents including employment references; and
- (2) A written consent for the department to obtain information from current and past employers and references.

(b) Applicants shall cooperate fully and make every reasonable effort to provide information and comply with fingerprinting and other related requirements when so notified and instructed by the department or its representative agents. The department may refuse to certify, or may suspend or terminate the rider education instructor certificate or both of any person who wilfully fails to cooperate or fails to provide the requested information. [Eff **MAR 04 2002**]

{Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-203 **Fingerprinting requirement.** The department shall require all applicants to undergo fingerprinting to conduct criminal history record checks as may be accommodated by the Hawaii criminal justice data center. Applicants must pay all charges for fingerprinting and for the criminal history record. Applicants shall cooperate fully and make every reasonable effort to comply with fingerprinting and other requirements when so notified and instructed by the department or its representative agents. The department may refuse to certify and may suspend or terminate the rider education instructor certificate of any person who willfully fails to comply or cooperate fully with fingerprinting requirements. [Eff

MAR 04 2002 (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-204 **Use of criminal history records results.** (a) Information obtained from criminal history record checks shall be used exclusively by the department for the purpose of determining whether or not a person is suitable for working in close proximity to students. Use and release of such information obtained from the FBI shall be subject to federal laws and regulations.

(b) The department may disclose information that an affected individual's criminal history record check shows a "clean criminal history record". Federal law (28 U.S.C. §534) otherwise prohibits the disclosure of criminal history information obtained from the FBI.

An FBI identification record and information contained therein, however, may be disclosed to the affected individual when explaining decisions or contemplated decisions resulting in refusal to certify an applicant for a rider education instructor certificate or termination of a rider education instructor certificate. Information from an FBI identification record may also be disclosed to a legal representative of the applicant with the consent of the affected individual and may also be displayed, with the consent of the affected individual, at an administrative hearing to resolve issues concerning the record's content and use. If desired, the affected individual may also request the correction of FBI criminal history information by following FBI rules to correct the FBI identification record.

(c) Criminal history information obtained from sources other than the FBI may be categorized into criminal convictions and arrest records. Criminal convictions are considered public records and may be disclosed to the general public. Arrest records are private and shall not be released by the department except in the process of verifying the disposition of the arrests, or as otherwise required by law. Information regarding a person's arrest records for offenses that may pose a risk to the health, safety, or well-being of students may be used as the basis to delay rider education instructor certificate decisions or for the suspension of a rider education instructor certificate pending further inquiry and investigation. Arrest records shall not be used as the sole basis to refuse a rider education instructor certificate. [Eff
MAR 04 2002] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

SUBCHAPTER 4

CERTIFICATION STANDARDS FOR
RIDER EDUCATION STUDENT CURRICULUM

§19-123-250 **Rider education curriculum task force.** A task force appointed by the director shall establish minimum requirements for rider education student curricula and recommend to the director the certification of rider education curricula. The director may certify such curricula. The task force shall be composed of an individual with a category 2 license, a chief instructor, a representative of the University of Hawaii, a representative of a military motorcycle safety program, a representative of the motorcycle industry, a county police department, a county examiner of drivers, and the department. All curricula shall be reviewed by the department every five years to assure that they are relevant. [Eff MAR 04 2002] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-251 **Administration of program.** No rider education student curriculum shall be certified unless:

- (1) Curriculum is available and in use during all training phases;
- (2) Lesson plans are clearly written with student centered activities;
- (3) Curriculum is administered during a minimum of seven hours of classroom instruction and nine hours of on-cycle or range instruction;
- (4) All modules are introduced during classroom sessions and reinforced during all training phases;
- (5) All modules consist of concepts that are structured and presented in simple to complex building blocks;

- (6) A student cannot progress to the next module of instruction until the student reaches a minimum objective of proficiency;
- (7) Appropriate evaluation shall occur throughout all courses to test the knowledge of the student;
- (8) Students must present a valid instruction permit or valid driver's license to the instructor before the rider education course completion certificate is issued;
- (9) If using the student's own motorcycle, moped or motor scooter, the student must provide proof of insurance, in the minimum required by statute, before using the motorcycle, moped or motor scooter in class;
- (10) Upon the satisfactory completion of the rider education course, the student shall be given a rider education student completion certificate sealed by the instructor; and
- (11) Upon the satisfactory completion of the skill test, the instructor shall provide a sealed motorcycle skills test certificate for waiver to the student. [Eff **MAR 04 2002.**]
(Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-252 **General provisions.** (a) Classroom instruction shall not exceed twenty-four students. On-cycle classes shall not exceed eight students if there is one instructor, or twelve students if there are two instructors.

(b) To obtain certification by the department, all rider education course curricula shall contain the following instructional elements:

- (1) The curriculum prepares students for achievements in social wellness, visual skills for awareness, information-processing and decision-making, risk prevention management, vehicle control, vehicle correction skills, and performance excellence;
- (2) The development and habitualization of positive behavioral patterns is emphasized;
- (3) Basic riding skills are introduced and practiced through classroom training to ensure operator success;
- (4) Students also learn riding skills often referred to as advanced, such as off-road recovery and skid control, detection and correction;
- (5) Students learn how to evaluate riding situations and make low-risk decisions;
- (6) Risk versus gain relationships associated with riding are defined and explored;
- (7) Risk perception, prevention, and management are presented as a function of time and space control;
- (8) Activities are utilized to promote effective student involvement in risk management and problem solving;
- (9) Students learn how behavioral, sociological, and psychological factors influence riding;
- (10) The physiological effects of alcohol and other drugs, including nicotine and caffeine, on rider performance are explored;
- (11) The effects of fatigue and other physical impairments on rider performance are studied;
- (12) Conflict resolution skills are presented in relation to on-road situations;
- (13) Activities are conducted to demonstrate the problems associated with rider inattentiveness;
- (14) Activities are conducted to help students recognize the stages of anger and how to manage them;

- (15) Various forms of technology and media are used to reinforce rider behavioral patterns;
- (16) Students learn how to positively influence their peers and how to avoid negative peer influence;
- (17) Students learn the value of safety gear and vehicle readiness;
- (18) Classroom activities demonstrate the importance of a student's responsibility both as a citizen and a rider;
- (19) Students participate in activities to learn the limitations of their vehicles or devices and of drivers; and
- (20) All rider education course curricula must contain, at a minimum, instruction on riding responsibilities, basic vehicle or device control, making safe riding decisions, controlling the vehicle or device, basic maneuvers, negotiating intersections, sharing the roadway, riding in different environments and situations, riding in urban and rural areas and high speed highways or freeways, adverse conditions, emergencies, being a responsible rider, effects of rider condition on risk taking, alcohol and other drugs, and street riding strategies. [Eff
MAR 04 2002] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-253 Range curriculum. (a) Range curricula shall contain, at a minimum, instruction in the following skills:

- (1) Introduction to riding--pre-start, starting the engine, putting the vehicle in motion, shifting gears, stopping, turns;

- (2) Basic maneuvers including lane control, lateral maneuver-move into traffic, lane changing, negotiating intersections;
 - (3) Scanning skills, blind spots; and
 - (4) Following distance, passing.
- (b) The curriculum shall also contain, at a minimum, the following instructional elements:
- (1) The development of rider behavioral patterns is reinforced;
 - (2) Techniques for emergency collision avoidance maneuvers are taught;
 - (3) Range instruction is structured and used to effectively experience behavioral patterns and to demonstrate various driving situations and circumstances; and
 - (4) The student is sufficiently prepared to demonstrate the correct modeling of riding behaviors for the instructor. [Eff
- MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-254 Monitoring of rider education programs. The department has the right to monitor all rider education courses and certified instructors at any time to assure compliance with the regulations of this chapter. Anyone found to not be in compliance with the requirements of this chapter may have their certificate suspended or terminated in accordance with section 19-123-155 [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-255 **Training site standards.** (a) All facilities in which rider education courses are taught shall be clean, safe, appropriate, and maintain a comfortable climate. All training sites shall be equipped with a fire extinguisher (minimum type A, B, C) and a first-aid kit.

(b) The riding range area shall meet the following minimum standards:

- (1) Shall measure at least 150-feet by 300-feet;
- (2) Shall be paved with asphalt or concrete;
- (3) Shall be free of obstacles (potholes, gratings, weeds, gravel, light poles, parking barriers, curbing, fencing, athletic equipment, or any other potential surface hazard);
- (4) Shall be as level as possible (not more than a five-degree slope);
- (5) Shall have adequate "run off" area (minimum twenty feet); and
- (6) Shall be free of all pedestrian and vehicular traffic during all on-cycle activities;
- (7) All range sites shall have one staff person who is currently certified in cardiopulmonary resuscitation and first aid readily available during all on-vehicle activities;
- (8) All training sites shall be equipped with a fire extinguisher (minimum type A, B, C) and first aid kit readily available during all hands-on activities;
- (9) Any exceptions to items in this subsection must have prior written approval of the department. [Eff **MAR 04 2002** 1
(Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-256 **Rider education instructional materials.** All rider education instructional materials shall be curriculum appropriate and available to all students. Textbooks and videos shall be effective and relevant resources used to enhance the curriculum. A variety of materials shall be utilized and may include computer generated slides, videos and transparencies. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

SUBCHAPTER 5

CERTIFICATION STANDARDS FOR RIDER EDUCATION INSTRUCTOR CURRICULUM

§19-123-300 **Rider education instructor curriculum task force.** A task force appointed by the director of transportation shall establish minimum requirements for rider education instructor curricula and recommend certification to the director. The director may certify such curricula. The task force shall be composed of an individual with a category 2 license, a chief instructor, a representative of the University of Hawaii, a representative of a military motorcycle safety program, a representative of the motorcycle industry a county police department, a county examiner of drivers, and the department. All curricula shall be reviewed by the department every five years to assure that they are relevant. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-301 Objectives of instructor curriculum.

(a) All rider education instructor classroom curricula shall contain content in classroom methods and principles in teaching rider education to prepare an instructor to carry out the rider education program as described in this chapter. The content shall prepare the instructor to:

- (1) List the purposes of, and convey the concepts of traffic and safety education to others;
- (2) Demonstrate the use of various educational methods, theories, and concepts in teaching a rider education course;
- (3) Demonstrate knowledge of the many and varied aspects of the riding task;
- (4) Conduct units of instruction, based upon the state regulations for rider education, which are in psychologically sound sequence, and meet student needs in the classroom;
- (5) Utilize instructional materials and activities which facilitate the attainment of the performance sought in the classroom;
- (6) Define and describe the nature of the riding task in the highway transportation system;
- (7) Solve administrative problems after an analysis of such problems are presented in the classroom;
- (8) Select, utilize, and evaluate devices which measure the effectiveness of classroom and range instruction;
- (9) Establish and maintain a viable program organization including enrollment, scheduling, records, and reports;
- (10) Manage traffic and safety education facilities and appropriate budget allocations for model programs;
- (11) Identify means by which rider education programs may positively influence public opinion concerning traffic and safety education;

- (12) Plan a complete course of instruction with outlines, lesson plans, and evaluation instruments; and
- (13) All curricula should contain specific information on the value of personal safety gear, concepts of crash causation and countermeasures, traffic safety education classroom instruction techniques, and administration of a rider education program.

(b) All range curricula shall prepare instructors to teach the on-cycle phases of rider education, including the aims, objectives, methods, materials, and techniques of teaching traffic simulation. The content shall prepare the instructor to:

- (1) Define and explain in depth the philosophy and rationale of the various laboratory concepts presented in the course;
- (2) Verbalize the on-cycle sequence and identify the objectives, rationale, and management forces that influence lesson preparation;
- (3) Utilize lesson plans using behavioral objectives and teach effectively from these lesson plans in all phases of the course; and
- (4) The curriculum should specifically cover the aims and purposes of rider instruction, including development of rider competencies, range management, controlled and sequential nature of instruction, entry level proficiencies, perception skills, human functions, driving strategies, understanding limitations, basic control tasks, traffic flow tasks, teaching methods and techniques, lesson plan development, instructional aids, selection of instructional experience, planning and implementing instruction, role of the instructor, student and teacher interaction and teaching activities. [Eff

MAR 04 2002] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-302 **Rider education instructor preparation course.** The director shall certify the curricula for a rider education instructor preparation course for rider education instructors. The curricula shall meet or exceed minimum national standards. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-303 **Monitoring the rider education instructor preparation course.** The department has the right to monitor all rider education instructor preparation courses and certified instructors at any time to assure compliance with the regulations of this chapter. Anyone found to not be in compliance with the requirements of this chapter may have their certificate suspended or terminated in accordance with section 19-123-155. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

SUBCHAPTER 6

LICENSING SKILL TEST WAIVER

§19-123-351 **Instructor requirements to administer licensing skill test waiver.** Instructors seeking authorization to administer the testing procedure for the purpose of enabling the licensing skill test waiver shall provide proof that the instructor:

- (1) Is a primary instructor in the school's rider education program;
- (2) Has successfully completed a state-sanctioned license examiner training course in the administration of the "Alternate MOST" licensing test procedure; and

- (3) Agrees to attend all refresher programs offered by the department for such examiners. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-352 **Option to waive alternate motorcycle operator skills test procedure.** The examiner of drivers may waive the actual demonstration of ability of operate a motorcycle or motor scooter for any applicant who provides proof of completion of a rider education course approved by the department. Such proof of completion must be submitted by the license applicant to the examiner of drivers within ninety days of the date of course completion. Such waiver may be appropriate, provided the following criteria are met:

- (1) The applicant has passed the prescribed eyesight examination.
- (2) Any other physical examinations determined necessary to assess the applicant's fitness to operate a motor vehicle safely upon the highway have been successfully completed.
- (3) The applicant has successfully completed the motorcycle written permit test resulting in the issuance of an instruction permit for the operation of a motorcycle or motor scooter;
- (4) The applicant produces a State of Hawaii student completion certificate as described in this chapter bearing the name of the applicant or student, as it appears on the driver's license or instruction permit, the date of course completion, the signature of the certified primary instructor, and the instructor's certification number; and

- (5) The applicant furnishes a "notice of satisfactory course completion" to the examiner of drivers. [Eff **MAR 04 2002**]
(Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-353 Test administration. The skill test shall be administered to evaluate the rider's control of the motorcycle while maneuvering the motorcycle through a variety of successively more complex exercises. Painted lines and cone markers shall delineate the test exercises, which are superimposed on the practice riding area.

- (1) The instructor shall score the student with the aid of a stopwatch and timing distance chart similar to that used in administration of the Alternate MOST licensing test procedures.
- (2) The instructor shall utilize a clipboard and an individual score sheet for each student to be tested. A copy of the score sheet is shown at the end of this chapter.
- (3) Four-inch traffic cones shall be used to mark specific points on the test exercises, and to clearly delineate the exercise path. Cones should not encroach onto the path of travel.
- (4) A passing score is 0-20 penalty points assessed. The student is scored on his or her ability to perform the skill test without incurring assessment of penalty points.
 - (A) Speed, stopping distances, and other observable events, such as a tire crossing or hitting a line or cone, are used in scoring the student's performance; and
 - (B) Foot-down errors, improper riding techniques, and failure to achieve performance standards also result in the assessment of penalty points;

- (C) The student's errors are scored objectively using specific scoring procedures, and penalty points are assessed on a standard score sheet.
- (5) All primary instructors who are qualified to issue the skills test shall be subject to random examinations, inspections and audits, without prior notice, by the state or the licensing authority within each county to assure that test integrity is maintained.
- (6) The skills test shall be stopped by the primary instructor if the student becomes a hazard to him or herself or the other students, or commits an unsafe act during the testing procedure. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-354 **Skill Performance.** All students shall successfully demonstrate these skills according to the license test procedure described in chapter 19-122-13, Hawaii Administrative Rules, as exhibited at the end of this chapter, and shall include:

- (1) Cone weave;
- (2) Sharp turns (left and right);
- (3) Quick stop;
- (4) Turning speed selection; and
- (5) Quick lane change. [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

§19-123-355 **Conducting the Skill Evaluation.** Instructions and scoring for the skill test shall be carried out in accordance with the test administration instructions located at the end of this chapter." [Eff **MAR 04 2002**] (Auth: HRS §§286-16, 286-17, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4) (Imp: HRS §§286-16, 286-18, 286-108.4, 431-10G-104; SLH 1999, Act 175, sections 2 and 4)

DEPARTMENT OF TRANSPORTATION

Chapter 19-123, Hawaii Administrative Rules, on the Summary Page dated November 13, 2001, was adopted on December , 2001, following public hearings held on October 25 and 26, 2001, after public notice was given in the Honolulu Advertiser, the Honolulu Star Bulletin, the Maui News, the Garden Island, the Hawaii Tribune Herald, and the West Hawaii Today on September 23, 2001, and the Midweek on September 24, 2001.

The adoption of chapter 19-123 shall take effect ten days after filing with the Office of the Lieutenant Governor.

Brian Minaai

Brian Minaai, Director
Department of Transportation

APPROVED:

Benjamin J. Cayetano

Benjamin J. Cayetano
Governor
State of Hawaii

Dated: 2/21/02

FEB 22 AM 9:03

DEPARTMENT OF GOVERNMENT
OFFICE

APPROVED AS TO FORM:

Wayne A. Mats
Deputy Attorney General

2/22/02
Filed

TEST ADMINISTRATION

Skill Test Overview

This document refers to the end of course riding test, administered by the Primary Instructor for successful completion of the "Motorcycle Rider Course: Riding and Street Skills" curriculum, and subsequent issuance of the State of Hawaii Completion Card and the "Notice of Satisfactory Course Completion".

Purpose and Design Features of the Skill Test

The purpose of the end of course or Skill Test is to provide the Instructor a means to evaluate the rider's basic control of the motorcycle while maneuvering the motorcycle through a variety of successively more complex exercises. Painted lines and cone markers delineate the test exercises, which are superimposed on the practice riding area.

Test Equipment

The instructor scores the student with the aid of a stopwatch and timing distance chart similar to that used in administration of the Alternate MOST licensing Test procedure. The Instructor also utilizes a clipboard and an individual score sheet for each student to be tested (see sample of the score sheet utilized at the end of this chapter). Four-inch traffic cones are used to mark specific points on the test exercises, and to clearly delineate the exercise path. Cones do not enter encroach upon the path of travel.

Scoring Criteria

A passing score is 0-20 penalty points assessed. The student is scored on his/her ability to perform the Skill Test without incurring assessment of penalty points. Speed, stopping distances and other observable events, such as a tire crossing or hitting a line or cone are used in scoring the student's performance. Foot-down

errors, improper riding techniques and failure to achieve performance standards also result in the assessment of penalty points. The students' errors are scored objectively using specific scoring procedures, and penalty points are assessed on a standard score sheet.

Instructor Evaluator Training

Primary Instructors are trained to administer this test as part of their initial Instructor Preparation training program, and are then monitored carefully for scoring accuracy and rater reliability. Instructors are trained as to how to administer and score the Skill Test and are provided with background information and test area layout details. Double scoring, with the Primary Instructor during the Instructor monitor procedure and comparison of the scoring results, assures that test integrity is maintained. Scoring accuracy for the Skill Test is evaluated by the School Administrator on an annual Basis.

Student Safety

As with all aspects of Rider Education, student safety during the conduct of Skill Test remains a primary concern. All standards for riding area safety are maintained during the administration of the Skill test. The Instructor must stop the testing process for a student if in his/her estimation the student becomes a hazard to him/herself or the other students during the testing procedure, or commits an unsafe act.

Skill Performance

The five exercises that comprise the Skill Test are taken from parts of the "Motorcycle Rider Course: Riding and Street Skills" curriculum, are mimic closely those exercise descriptions and skill performances tested in the Alternate MOST License Test procedure. The exercises scored are:

- Cone Wave
- Sharp Turn (left and right)
- Quick Stop
- Turning speed Selection
- Quick Lane Change

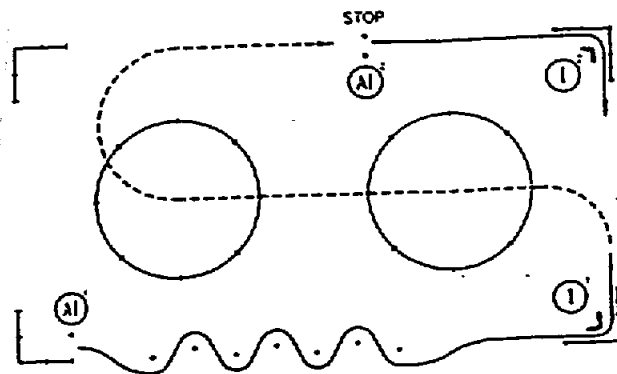
As with those similar exercises utilized in the Alternate MOST License Test procedure, the ability to perform these types of maneuvers is critical for collision avoidance. Additionally, performance of these exercises provides an environment wherein the Instructor has the ability to evaluate basic control behaviors, even those involving technique, in an objective manner. The five exercises are accomplished during the five test runs.

Run 1 - Cone Weave and Sharp Turn (Left-hand)

- **Cone Weave-** The student begins with the front tire of the motorcycle placed between two cones at the start position. The rider must weave between seven cones placed 15' apart with a 3' offset. Weaving to the right of the first cone and left of the second, the rider continues weaving alternately between the remaining cones.
- **Sharp Turn (left)-** After exiting the cone weave the rider continues towards the sharp left-hand turn evaluation at the end of the riding range. The rider must approach the turn, use both brakes to slow prior to the turn, look through the turn, and complete the turn by staying within the boundary markings of a 6' path of travel, without putting a foot down. After exiting the sharp left-hand turn, the rider continues to ride down the center of the riding range, then turns right and proceeds to the next starting point.

Run 2 - Sharp Turn (Right-hand)

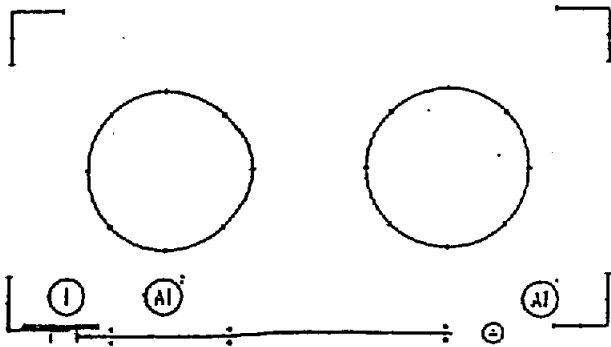
The student begins with the front tire of the motorcycle placed between two cones at the start position. On signal, the rider must approach the sharp right-hand turn, use both brakes to slow prior to the turn, look through the turn, and complete the turn by staying within the boundary markings of the 6' path of travel, without putting a foot down.



- A1-1—Give directions Part 1
- A1-2--Give directions Part 2

Run 3 - Quick Stop

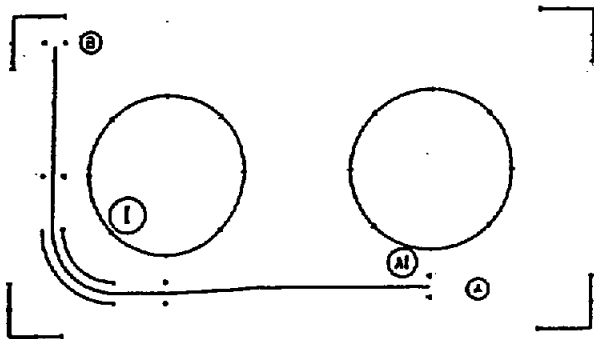
The student begins with the front tire of the motorcycle placed between two cones at the start position. When the Instructor signals the student to "come ahead" the student approaches the stopping area, accelerating to between 12 and 20 miles per hour and shifting into second gear before reaching the timing zone. When the front tire reaches the end of the timing zone, the student commences braking to stop as quickly as possible. The student must use both brakes to stop while completing a downshift to first gear. Points are not assessed for skidding. Points are assessed as stopping distances increase.



AI-1--Position is to give directions to the group.
AI-2--Position is a timing position.

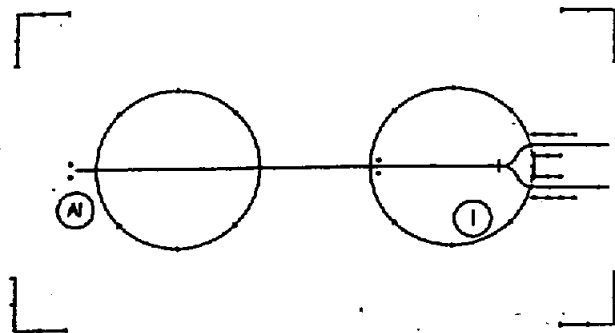
Run 4--Turning Speed Selection

The student begins with the front tire of the motorcycle placed between two cones at the start position. When the Instructor signals the student to "come ahead" the student approaches the turning area, accelerates to about 20 miles per hour and shifts up to second gear. Prior to reaching the turn, the student must use both brakes to slow to a suitable entry speed, without downshifting. The student then accelerates through 8' path of travel turn, demonstrating proper cornering technique.



Run 5-Quick Lane Change

Once again the student begins with the front tire of the motorcycle placed between two cones at the start position. The Instructor pre-briefs the student as to which way to maneuver. When the Instructor signals the student to "come ahead" the student approaches the lane change area, accelerates to about 15 miles per hour and shifts up to second gear before reaching the timing zone. When the front tire reaches the end of the timing zone, the student must swerve in the direction indicated to avoid hitting the 8' obstacle line placed 13' beyond the end of the timing zone, and then maneuvers through the 8' wide lane to avoid contacting the outer sideline.



Conducting the Skill Evaluation

During conduct of the Skill Evaluation, the Assistant Instructor provides instructions to the student relative to the path of travel, techniques to be utilized, and points assessment. On the exercise illustrations, the position from which the Assistant Instructor provides the instruction is shown by the control AI.

The Primary Instructor is responsible for scoring the students' performance during the Skill Evaluation. The position from which the Primary Instructor evaluates the students performance is shown on illustrations by the symbol PI. This location is deemed to be the best position form which to see the full path

Instructions and Scoring - Cone Weave and Sharp Turns

Instructions for the Cone Weave and the Sharp turn are given at the starting position for the first run. Once all students are gathered, the Assistant Instructors provides the following instructions:

"You will demonstrate your ability to maneuver the motorcycle through a cone weave and execute proper tight turns.

- A. *On signal you will ride to the right of the first cone, left of the second, and continue weaving past all of the cones toward the sharp, left-hand turn.*
- B. *Apply both brakes to slow, then execute a proper tight turn through the corner.*
- C. *After coming out of the corner, ride down the center of the range, turn right (to the next starting point). Stop and line up in single file.*
- D. *You will lose points for:*
 - 1. *Hitting a cone, skipping a cone or putting a foot down during the weave.*
 - 2. *Not using both brakes prior to executing a sharp turn.*
 - 3. *Not turning your head and looking through the turn.*
 - 3. *Touching the sharp turn boundary or cones.*
 - 4. *Putting a foot down*
- E. *Do you have any questions? Return to your motorcycles, mount properly and start your engines."*

Once the student have completed the cone weave and sharp left-turn, are lined up for the sharp right-hand turn, and have gathered at the start position for the right-hand turn (Part 2), the Assistant Instructor provides the following instructions:

"You will again demonstrate your ability to execute a proper tight turn!

- A. *On signal you will ride toward the sharp right-hand turn.*
- B. *Apply both brakes to slow, then execute a proper tight turn through a corner.*
- C. *After coming out of the corner, ride down the center of the range, turn right, and proceed to (the next starting point). Stop and line up in single file.*
- D. *You will lose points for:*
 - 1. *Not using both brakes prior to executing a sharp turn.*
 - 2. *Not turning your head and looking through the turn.*
 - 3. *Touching the sharp turn boundary or cones*
 - 4. *Putting a foot down.*
- E. *Do you have any questions? Return to your motorcycles, mount properly and start your engines."*

Students are always scored according to the greatest degree of error. The Cone Weave is scored as a distinctly separate exercise, and the left-hand sharp turn and the right-hand sharp turn are scored as a single exercise.

SCORING	POINTS	
	<u>ONCE</u>	<u>MORE</u>
Cone Weave:		
A. Hits cone.*	-3	-5
B. Skips cone.	-3	-5
C. Puts foot down.	-3	-5
Maximum penalty points for weaving		-10
Sharp turns:		
A. Does not use both brakes to slow.	-3	-5
B. Does not turn head and look through turn.	-3	-5
C. One tire touches boundary or hits cone.*	-3	-5
D. Both tires cross boundary line.	-3	-5
E. Puts foot down.	-3	-5

Maximum penalty points for sharp turns: -10

**Points assessed if any part of the motorcycle or rider touches a cone*

Instructions and Scoring - Quick Stop

Instructions for the Quick Stop are given at the starting position for the third run. Once all students are gathered, the Assistant Instructor provides the following instructions, and then assists the Primary Instructor by operating the stopwatch.

"You will demonstrate your ability to stop the motorcycle in the shortest distance.

- A. *Approach the stopping area at about 15 m.p.h. in second gear.*
- B. *Stabilize your speed as quickly as you can.*
- C. *When your front tire comes between the last set of cones, stop in the shortest possible distance.*
- D. *Remain stopped until your distance is measured, then return up the center of the range and get back in line.*
- E. *You will lose points for:*
 - 1. *Not using both brakes*
 - 2. *Not downshifting to first gear*
 - 3. *Stopping beyond standards.*
- F. *Do you have any questions? Return to your motorcycles, mount properly and start your engines."*

SCORING	POINTS
1. Does not use both brakes.	-5
2. Does not downshift to 1st gear.	-3
3. Stops beyond standard (per foot).*	-1
4. Does not obtain proper speed on second attempt.**	-10
5. Anticipate stop on second attempt.**	-10
Maximum penalty points for quick stop:	-10

**A stopwatch is used to determine the students' speed through a 44-foot timing zone. Stopping distances are measured, and points are assessed accordingly.*

***Students riding too slow or fast, or who begin braking early are allowed a second attempt.*

Instructions and Scoring - Turning Speed Selection

Once all students have completed the Quick Stop evaluation they are directed right to the start position for the Turning Speed Selection evaluation. The Assistant Instructor provides the following instructions for the Timing Speed Selection evaluation at the starting position for the fourth run, and may then stay with the students or may assist the Primary Instructor by operating the stopwatch.

"You will demonstrate your ability to execute a rapid turn.

- A. *Approach the turn in second gear at about 20 m.p.h.*
- B. *Use both brakes to slow to a suitable entry speed. Do not downshift. Use proper cornering technique and accelerate through the curve as rapidly as you safely can, demonstrating proper cornering technique.*
- C. *After exiting the turn, come to a stop at Point B. On signal, return to the end of the line.*
- D. *You will lose points for:*
 - A. *Not using both brakes to slow prior to turning.*
 - B. *Not turning your head and looking through the turn.*
 - 3. *Decelerating in turn.*
 - 4. *Touching or crossing over a boundary line.*
 - 5. *Turning slower than standard.*
- E. *Do you have any questions? Return to your motorcycles, mount properly and start your engines."*

SCORING	POINTS	
	ONCE	MORE
1. Does not use both brakes to slow.	-5	
2. Does not turn head and look through turn.	-3	
3. Decelerates in turn	-3	-5
4. One tire touches or crosses boundary lines	-3	-5
5. Both tires cross boundary lines.	-10	
6. Turns 1.8 to 1.9; Over 1.9	-3 -5	

Maximum penalty points for Turning Speed Selection: -10

The operation of the stopwatch occurs from the moment the front tire enters the painted area until the front tire exits the painted turn area. Riders who do not meet the speed requirement are not given a second attempt.

Instructions and Scoring - Quick Lane Change

Instructions for the Quick Lane Change are given at the starting position for the fifth run. Once all students are gathered, the Assistant Instructor provides the following instructions, and then may remain with the students or may assist the Primary Instructor by operating the stopwatch. Students are further instructed that when they are finished, they will return to the end of the line.

"You will demonstrate your ability to swerve the motorcycle to avoid hitting an obstacle in your path.

- A. *On signal, ride towards the cue cones between 12 to 18 m.p.h.*
- B. *When you reach the last set of cones, swerve to the left/right to avoid hitting the obstacle line, then immediately swerve*

back and ride inside the boundary line. Do not use your brakes until you are through the path.

- C. *You will lose points for:*
 1. *Touching or riding over the obstacle cones or boundaries.*
 2. *Not obtaining proper speed.*
- D. *Do you have any questions? Return to your motorcycles, mount properly and start your engines."*

SCORING	POINTS
---------	--------

- | | |
|---|-----|
| 1. Touches any line or hits any cone. | -5 |
| 2. Both tires cross the obstacle line or boundary line. | -10 |
| 3. Does not obtain proper speed on second attempt.* | -10 |

Maximum penalty points: -10

**Students riding too slow or fast are given a second opportunity to re-run the evaluation.*

Students who are too fast but successfully avoid the obstacle line and path boundary line do not repeat the evaluation. The allowable time interval through the 44-foot timing zone, measured from front tire in to front tire out is from 1.66 seconds to 2.51 seconds.

SKILL TEST EVALUATION SCORE SHEET

	POINTS	
	Once	More
EXERCISE 1		
Cone Weave and Sharp Turns		
Cone Weave		
• Hits cone	-3	-5
• Skips cone	-3	-5
• Puts foot down	-3	-5
Total points (maximum -10)		

Tight Turns		
• Does not use both brakes to slow.	-3	-5
• Does not turn head and look through turn	-3	-5
• One tire touches boundary or hits cone.	-3	-5
• Both tires cross boundary line.	-5	-10
• Puts foot down.	-3	-5
Total points (maximum -10)		

EXERCISE 2		
Quick Stop		
• Does not use both brakes.	-5	
• Does not downshift to 1 st gear.	-3	
• Stops beyond standard (per foot)	-1	_____
• Does not obtain proper speed on second attempt.	-10	
• Anticipates stop on second attempt.	-10	
Total points (maximum -10)		

GENERAL

• Drops motorcycle during exercise.	-21
• Commits unsafe act.	-21

Meets standard -20 or less
Below standard -21 or more

	POINTS	
	Once	More
EXERCISE 3		
Turning Speed Selection		
• Does not use both brakes to slow.	-5	
• Does not turn head and look through turn	-3	
• Decelerates in turn	-3	-5
• Touches or crosses boundary lines.	-3	-5
• Both tires cross boundary lines.	-10	
• Turns 1.8 or 1.9 Greater than 1.9	-3	-5
Total points (maximum -10)		

EXERCISE 4

Quick Lane Change		
• Touches any line or hits any cone.	-5	
• Both tires cross obstacle or boundary line	-10	
• Does not obtain proper speed on second attempt	-10	
Total points (Maximum -10)		

TIMING CHART - 44 FOOT TIMING ZONE

Seconds	Speed	Distance
1.50-1.57	20	23 feet
1.58-1.66	19	20 feet
1.67-1.76	18	18 feet
1.77-1.87	17	16 feet
1.88-1.99	16	14 feet
2.00-2.14	15	13 feet
2.15-2.30	14	11 feet
2.31-2.50	13	10 feet
2.51	12	9 feet

TOTAL COMBINED PENALTY POINTS: _____

NAME _____

DATE _____

INSTRUCTOR _____

ID NO. _____