

TITLE 33
EDUCATION

CHAPTER 49
MOTORCYCLE SAFETY PROGRAM

33-4901. COOPERATION. In conjunction with its supervision of traffic on public highways, the Idaho transportation department is directed to cooperate with the division of career technical education in its establishment of a motorcycle rider safety program for the state of Idaho.

[(33-4901) 33-4801, added 1994, ch. 234, sec. 10, p. 742; am. and re-desig. 2005, ch. 25, sec. 51, p. 101; am. 2009, ch. 30, sec. 1, p. 82; am. 2016, ch. 25, sec. 29, p. 53.]

33-4902. MOTORCYCLE SAFETY PROGRAM. (1) The division of career technical education shall develop standards for, establish and administer the Idaho motorcycle safety program.

(2) The division of career technical education shall establish standards for the motorcycle rider training course, including standards for course curriculum and student evaluation and testing, and shall meet or exceed established national standards for motorcycle rider training courses in effect as of September 1, 1994.

(3) The program shall include activities to increase motorcyclists' alcohol and drug effects awareness, motorcycle rider improvement efforts, program promotion activities, and other efforts to enhance motorcycle safety through education, including enhancement of public awareness of motorcycles.

(4) The administrator of the division of career technical education shall appoint a program coordinator to oversee and direct the program.

(5) The division of career technical education shall establish standards for the training and approval of motorcycle rider training instructors and skills examiners which shall meet or exceed established national standards for such instructors and skills examiners in effect as of September 1, 1994.

[(33-4902) 33-4802, added 1994, ch. 234, sec. 10, p. 742; am. and re-desig. 2005, ch. 25, sec. 52, p. 101; am. 2009, ch. 30, sec. 2, p. 83; am. 2016, ch. 25, sec. 30, p. 53.]

33-4903. IMPLEMENTING AUTHORITY. (1) The state board for career technical education shall adopt rules which are necessary to carry out the motorcycle safety program.

(2) The division of career technical education may enter into contracts with public or private entities for course delivery and for the provision of services or materials necessary for administration and implementation of the program.

(3) The division of career technical education may offer motorcycle rider training courses directly and may approve courses offered by public or private entities as authorized program courses if they are administered and taught in full compliance with standards established for the state program.

(4) The division of career technical education may establish reasonable enrollment fees to be charged for persons who participate in a motorcycle rider training course.

(5) The division of career technical education may utilize available program funds to defray expenses in offering motorcycle rider training courses and may reimburse entities which offer approved courses for the expenses incurred in offering the courses in order to minimize any course enrollment fee charged to the students.

[(33-4903) 33-4803, added 1994, ch. 234, sec. 10, p. 743; am. and re-desig. 2005, ch. 25, sec. 53, p. 102; am. 2009, ch. 30, sec. 3, p. 83; am. 2016, ch. 25, sec. 31, p. 53.]

33-4904. MOTORCYCLE SAFETY PROGRAM FUND. (1) The motorcycle safety program fund is established in the state treasury and appropriated on a continual basis to the division of career technical education which shall administer the moneys. Money in the fund shall only be used for administration and implementation of the program, including reimbursement of entities which offer approved motorcycle rider training courses.

(2) At the end of each fiscal year, moneys remaining in the motorcycle safety program fund shall be retained in said fund and shall not revert to any other general fund. The interest and income earned on money in the fund, after deducting any applicable charges, shall be credited to and remain in the motorcycle safety program fund.

(3) Revenue credited to the fund shall include one dollar (\$1.00) of each fee for a class A, B, C or D driver's license as provided in section [49-306](#), Idaho Code.

(4) Revenue credited to the fund shall include amounts collected for each motorcycle safety program fee imposed pursuant to section [49-453](#), Idaho Code.

[(33-4904) 33-4804, added 1994, ch. 234, sec. 10, p. 743; am. and re-desig. 1998, ch. 110, sec. 4, p. 381; am. 1999, ch. 81, sec. 1, p. 238; am. 2005, ch. 308, sec. 1, p. 960; am. 2009, ch. 30, sec. 4, p. 83; am. 2016, ch. 25, sec. 32, p. 54.]

33-4905. ADVISORY COMMITTEE. The administrator of the division of career technical education shall establish a program advisory committee consisting of five (5) persons representing various interests in motorcycle safety including, but not limited to, motorcycle riding enthusiasts, dealers and law enforcement personnel. Committee members shall advise the program coordinator in developing, establishing and maintaining the program. The committee shall monitor program implementation and report to the administrator as necessary with recommendations. Members of the committee shall serve without compensation but may be reimbursed for their reasonable expenses while engaged in committee business.

[(33-4905) 33-4805, added 1994, ch. 234, sec. 10, p. 743; am. and re-desig. 2005, ch. 25, sec. 54, p. 102; am. 2009, ch. 30, sec. 5, p. 84; am. 2016, ch. 25, sec. 33, p. 54.]

33-4906. ANNUAL REPORT ON THE PROGRAM. The division of career technical education shall prepare a public report annually. The report shall be completed with the assistance of the program coordinator and the program advisory committee. The report shall include the number and location of various courses offered, the number of instructors approved, the number of students trained in various courses, other information about program implementation

as deemed appropriate, and an assessment of the overall impact of the program on motorcycle safety in the state. The report shall also provide a complete accounting of revenue receipts of the motorcycle safety program fund and of all moneys expended under the program.

[(33-4906) 33-4806, added 1994, ch. 234, sec. 10, p. 744; am. and re-
desig. 2005, ch. 25, sec. 55, p. 102; am. 2009, ch. 30, sec. 6, p. 84; am.
2016, ch. 25, sec. 34, p. 54.]