

TEXAS MOTORCYCLE SAFETY COALITION (TMSC) BOARD Meeting Minutes

MEMORANDUM

TO: TMSC Board Members & Invited Guests

FROM: Patricia Turner, TTI

SUBJECT: Notes from meeting held on July 9, 2009

Place: Meeting was held from 10 a.m. to 2 p.m. at the Texas Transportation Institute (TTI), Gibb Gilchrist Building, Room 102, Texas A&M University, College Station, Texas

Present: See attached list

Summary: The following summarizes the results of the meeting

The purpose of this meeting was to bring together Board members of the Texas Motorcycle Safety Coalition (TMSC) and invited participants to discuss the Texas Motorcycle Safety Assessment (see Attachment A for the agenda).

Fifteen TMSC Board members and nine other participants attended the meeting (see Attachment B for a list of attendees). David Die, TMSC Vice-Chairman, led the meeting.

The meeting opened with attendees invited to tour the Texas Department of Public Safety (TxDPS) Motorcycle Safety Unit's new fully-wrapped mobile training truck and trailer (see Figure 1).

The meeting reconvened and the TMSC Board Secretary, Terri Williams, briefed the group on the passage of SB 1967 and the significance of the bill as it relates to improving motorcycle safety in Texas. Quinn Brackett also discussed legislation related to motorcycle safety (see Appendix C).

The majority of the meeting was devoted to presenting and discussing the *Motorcycle Safety Efforts in Texas: Preliminary Assessment*. A copy of the document was provided to attendees at the start of the meeting. The Assessment serves as a strategic planning tool to provide a framework to prioritize future TMSC initiatives. Recommendations identified in the Assessment provide a foundation for the development of a statewide motorcycle safety strategic plan (MSSP) - a comprehensive strategy to address motorcycle safety issues by

identifying goals, strategies, action steps, and performance measures for key focus areas (see Appendix D).

Patricia Turner added suggestions from the group to the electronic file of the document which was displayed on the projector screen in the room. She also mentioned the availability of other state's motorcycle safety program technical assessments completed by NHTSA as well as other state's motorcycle strategic safety plan. Web site links to assessments are provided in Appendix E.

Vice-Chairman Die opened the floor for additional comments and discussion. Patricia Turner mentioned that our goal was to have the Assessment completed by early September. Quinn Brackett reiterated the need for a comprehensive plan that also outlines how to proceed within organizations.

A motion was made to revise the TMSC bylaws which included creating two committees from the Safety Awareness/ Education and create a new standing committee, the Roadway Engineering and Design and passed. The meeting was adjourned at 2:15 PM.

Next Action: The next TMSC Board meeting was not set. The members will be asked to review the draft assessment and provide input on recommendations and final assessment will be adopted by the Coalition Board at the next meeting.

Figure 1. TxDPS Motorcycle Safety Unit's Mobile Training Truck and Trailer



Attachment A

TMSC Board Meeting Agenda

TMSC BOARD MEETING

July 9, 2009

10am-2pm

TTI Gibb Gilchrist Bldg
Room 102
College Station, TX

Facilitator:	Patricia Turner	Note taker:	Williams/Turner
Attendees:	Brockie, Conboy, Die, Kaufman, Kellett, Paxton, Prince, Rowell, Stanford, Williams, Yeater, Brackett, Saint, Turner; Copeland, Ponce, Young, Flores, Mutchler		

Agenda Items

Topic	Speaker
✓ Welcome and Introductions	Die – TMSC Vice Chair
✓ Motorcycle Safety Assessment	Turner/Brackett
✓ Establish Working Standing Committees	Die
✓ Legislative Issues Affecting Motorcycles	Brackett
✓ MAM Outreach	Turner
✓ Open Discussion	Die
✓ Set Next Meeting	Die

Attachment B

TMSC Board Meeting Attendees

July 9, 2009

First	Last Name	Org	E-Mail
*Ray	Brockie	Owner, Moto-Ed	RayB@moto-ed.com
*Debbie	Conboy	Awesome Cycles	debbie@awesomecycles.com
*David	Die	TMRA2, TX Defenders, ABATE Houston-Galveston Area Council	gump69@gt.rr.com
*Jeff	Kaufman	Rider	jeff.kaufman@h-gac.com
*Michael	Kellett	1st VP - TMRA	mkellett@mac.com
*Bill	Paxton	Motorcycle Rentals of Houston	billpaxton@yahoo.com
*Keith	Rowell	Steel Steed Rider Coach	krovell@mancuso-hd.com
*Jim	Stanford	TTI	txsred1@esc4.com
*Troy	Walden	TTI	t-walden@ttimail.tamu.edu
*Terri	Williams	TMRA2	secretary@tmra2.org
*David	Yeater	Awesome Cycles	dgyeater@awesomecycles.com
Quinn	Brackett	TTI	q-brackett@ttimail.tamu.edu
Patricia	Turner	TTI	p-turner@ttimail.tamu.edu
Eddie	Carmon	ESC Region VI	ecarmon@esc6.net
Dave	Metcalf	TxDPS	David.metcalf@txdps.state.tx.us
Nina	Saint	TEA	Nina.Saint@tea.state.tx.us
Cindy	Flores	TxDPS	Cindy.Flores@txdps.state.tx.us
John	Young	TxDPS	JohnG.Young@txdps.state.tx.us
Kenneth	Copeland	NHTSA	Kenneth.Copeland@dot.gov
Chantal	Locke	Austin PD	Chantal.Locke@ci.austin.tx.us
Jason	Mutchler	Austin PD	Jason.Mutchler@ci.austin.tx.us
Earl	Carp	TxDPS	Earl.carp@txdps.state.tx.us
Gonzalo	Ponce	TxDOT	GPONCE@dot.state.tx.us
Maurice	Maness	Training Wheels	trainingwheelscs@yahoo.com

*Denotes Board Member

Attachment C

Summary of Legislation Dealing with Motorcycle Safety

Summary of Legislation Dealing with Motorcycle Safety (81st Legislative Session – Regular - 2009)

Bills Passed, Unless Vetoed by the Governor:

1. SB 488 – Ellis – Vulnerable Road User (VRU)
 - Vehicles passing VRU's, including motorcycles shall vacate lane if road has two or more lanes in the same direction; or pass the VRU at a safe distance (3 feet for cars and pick-ups or 6 feet for commercial vehicles).
 - Left turning vehicle must yield to on-coming VRU's is proximity of the VRU to the intersection is an immediate hazard.
 - Right turning vehicles cannot turn in front of a VRU unless the vehicle is safely clear.
 - Drivers of vehicles cannot maneuver in a manner that intimidates, harasses, or threatens a VRU.
 - Drivers of vehicles must exercise due care to avoid colliding with VRU on the roadway or intersections of the roadway.
 - Violations resulting in property damages may result in a fine of \$500,
 - Violations resulting in injury are Class B misdemeanors.
 - It is a defense to prosecution if the VRU was acting in violation of the law.

2. SB 1967 - Carona – Motorcycle Safety and Share the Road Campaign
 - Requires TxDOT to conduct a continuing public awareness campaign to promote motorcycle safety and sharing the road with motorcycles, using funds appropriated for that purpose.
 - Expands the definition of a motorcycle for license purposes to include enclosed three wheeled vehicles with FMVSS compliant safety equipment.
 - Requires an applicant for an original motorcycle license or endorsement to provide proof of completion of a basic motorcycle course approved by TxDOT.
 - Requires TxDOT to provide new licensees or endorsees with information about the Glenda Dawson Donate Life – Texas Registry Program.
 - Increases fines for Failure to Yield Right of Way for vehicles involved in a collision.
 - Changes the amount of health insurance required to be exempted from the helmet requirement and leaves it to the Department of Insurance to determine what constitutes “proof of health insurance”.
 - Prevents law enforcement officers from stopping a motorcyclist solely for the purpose of checking for compliance with training and health insurance.
 - TEA will be required, by rule, to include, motorcycle awareness, road sharing and dangers of failing to yield to motorcyclist in any driver education or driving safety course.

3. HB 339 – Carona – Teen Drivers Education
 - Changes the restrictions for those under 17 years old who hold a restricted motorcycle or moped license to 12 months following the original issuance and

prohibits operation between mid night and 5 am, unless in site of parent or guardian or if needed for work or school.

- It also prohibits operation while using a cell phone, unless it is an emergency.

4. HB 537 – Berman – Transporting Children

- Prohibits carrying children under the age of five on a motorcycle, unless they are in a sidecar.

5. HB 3599 – Brown, Ellis – Adding to the Definition of a Motorcycle

- Exempts three wheeled vehicles that comply with FMVSSs from requiring a motorcycle license to operate.
- Authorizing motorcycles, including the exempted three wheelers, to use preferential lanes.

6. HB 2553 – Hilderbran, Davis – Registration and Operation of Vehicles

- Prohibits ATV from being registered for use on public highways.
- Allows golf carts to be used on streets posted less than 35 mph in planned communities and by approval of municipalities.
- Registration fee for motorcycles and mopeds is \$30 per year.
- Provides for a Classic Motorcycle (at least 25 years old) registration for \$15.

Bills not passed:

1. SB 506 – Carona – Motorcycle Lane Sharing During Congestion

2. HB 1569 – Thompson/Chavez - Non-Discrimination for Motorcycle Attire

3. HB 116 – Picket – Vehicle Registration Fees (included in HB 2553)

4. HB 662 – Ortiz – Operating Restrictions for Minors (included in HB 339)

5. HB 454 – Gonzales - Driver Responsibility Surcharges

6. SB 16 – Averitt – Air Quality

Attachment D

Motorcycle Safety Efforts in Texas: Preliminary Assessment

Motorcycle Safety Efforts in Texas: Preliminary Assessment

July 2009



Texas Transportation Institute
The Texas A&M University System
College Station, TX 77843

INTRODUCTION

The good news is that traffic-related deaths in the United States are at their lowest level since 1961 – this according to the 2008 National Highway Traffic Safety Administration’s (NHTSA) Fatality Analysis Reporting System (FARS) projections.¹ Ten percent fewer people died in motor vehicle crashes in 2008, down from 41,259 in 2007 to 37,261. Passenger vehicle and light truck occupants comprised the majority of the fatality reductions, continuing 6 consecutive years of fewer traffic deaths. The bad news is that motorcyclist deaths climbed 2.2 percent, continuing their 11-year increase. Motorcyclist fatalities reached 5,290 in 2008 and accounted for 14 percent of all traffic fatalities for the year. Statistics show that while motorcycle registrations have increased, the rate of fatal motorcycle crashes has gone up even more steeply.²

Texas is part of a national problem that has highway safety officials struggling to figure out why motorcycle deaths are offsetting the progress States have made with boosting seat-belt use and cutting alcohol-related deaths. In 2008, motorcyclists accounted for 15 percent of all traffic-related deaths in Texas, a three-fold percentage increase over the past decade. Last year, Texas had a total of 431,571 registered motorcycles. Of those, 526 motorcycle occupants were killed, according to the Texas Department of Transportation (TxDOT) preliminary crash data. While motorcycle registrations rose 13 percent between 2007 and 2008, motorcycle fatalities increased by 31 percent, from 403 in 2007 to 526 (see Figures below).



Although, the proportion of registered motorcycles in Texas has increased from about 4 percent to 5 percent of the total number of registered vehicles during the same period, motorcycle deaths are over-represented by 2.33 times per registered vehicle. The fatality rate per registered vehicle in 2007 was 103.3 per 100,000 for motorcycles compared to 44.3 per 100,000 for all motor vehicles.

According to NHTSA’s FARS 2007 data, there are several key factors that contribute to the rising number of motorcycle deaths in Texas:

- 31 percent of the fatality-injured motorcycle operators were not properly licensed compared to 26 percent in US;
- 39 percent of the fatally-injured motorcycle operators were impaired (with a BAC greater than or equal to .08 g/dL) compared to 28 percent in US; and

¹ NHTSA (June 2009) “2008 Traffic Safety Annual Assessment – Highlights.” Washington, DC: National Highway Traffic Safety Administration, DOT HS 811 172.

² NHTSA (June 2009) “2008 Traffic Safety Annual Assessment – Highlights.”

- 60 percent of the fatally-injured motorcycle operators were not wearing a helmet (41% in US).

If these trends continue at the same rate as the past five years, it is estimated that by 2015, there will be roughly 800,000 registered motorcycles in Texas and an estimated 821 motorcycle fatalities.

These trends provided the impetus for the first Texas Motorcycle Safety Forum (TMSF) held in 2006. The forum brought together a diverse group of stakeholders with interests in motorcycle safety to work collectively to identify strategies to reverse these disturbing trends. The Forum facilitated the establishment of the Texas Motorcycle Safety Coalition (TMSC) in 2008 which includes representatives from the TxDOT, DPS, TEA, state and local law enforcement, military, educators, public health professionals, emergency management, rider groups and organizations, and motorcycle safety interest groups.

The Coalition objectives are to expand and build upon existing strategic alliances within the motorcycle community; participate in the development of a statewide strategic motorcycle safety plan; gain broad-based support for action to implement strategies and action steps identified in the plan; and conduct future motorcycle safety forums. An official TMSC Board was established to help guide the collective efforts of the TMSC.

PURPOSE

This preliminary motorcycle safety assessment provides an overview of motorcycle safety efforts in Texas and helps to strengthen and focus statewide motorcycle safety efforts by providing recommendations for improvements. The assessment was based on the format established by NHTSA for conducting state motorcycle safety program technical assessments³⁴. NHTSA's technical assessments provide comprehensive reviews of State motorcycle safety programs and practices. During the assessments, reviewers examine the policies States have implemented to promote motorcycle safety and offer recommendations for additional steps. States may take to encourage safe riding and reduce crashes, injuries, and fatalities.

This assessment provides a foundation for the development of a statewide motorcycle safety strategic plan (MSSP) - a comprehensive strategy to address motorcycle safety issues by identifying goals, strategies, action steps, and performance measures for key focus areas. The MSSP can be used to help direct limited state funding and resources to areas with the greatest potential to reduce motorcycle fatalities, serious injuries, and crashes.

The assessment examines several components of a comprehensive motorcycle safety program, including:

- Program management
- Motorcycle operator licensing
- Motorcycle personal protective gear
- Motorcycle rider education and training
- Motorcycle operation under the influence of alcohol or other drugs
- Motorcycle conspicuity and motorist awareness programs

Information used in the preliminary assessment was obtained from attendees of the annual Texas Motorcycle Safety Forum (TMSF); members of the Texas Motorcycle Safety Coalition (TMSC); other state's NHTSA-sponsored

³ NHTSA (November 2006) "Motorcycle Safety," *Uniform Guidelines for State Highway Safety Programs*. Washington, DC: National Highway Traffic Safety Administration.

⁴ National Association of State Motorcycle Safety Administrators (SMSA), Apr. 1998.

motorcycle program assessments; published documents; agency staff from the TxDOT, the Department of Public Safety (DPS), and TTI's Center for Transportation Safety (CTS).

SUMMARY OF RECOMMENDATIONS

I. PROGRAM MANAGEMENT

- Conduct a detailed evaluation of police-reported motorcycle crash reports to determine contributing crash causation factors. Compare findings to existing training materials and adjust curricula to address the issues.
- Integrate motorcycle safety activities into other crash and injury control programs and other State supported projects.
- Develop a comprehensive State motorcycle safety strategic plan that addresses key problem areas such as impaired riding, unlicensed riders, and motorist awareness. Identify goals, strategies, action steps, and performance measures for key focus areas.

II. OPERATOR LICENSING

- Revise licensing regulations (Class M license or endorsement) to require rider training course completion for all prospective motorcycle licensees (SB 1967 mandates training prior to licensing, effective September 1, 2009)
- Develop “returning rider” training program based on the BRC course to increase licensing of experienced riders. (Returning rider training course is currently being pilot tested July 18-19 in Irving, Texas.)
- Determine why riders do not get licensed and develop program to reach out to these riders.
- Review and improved readability of motorcycle operator’s manual.
- Evaluate license testing availability to ensure that limited availability does not contribute to problem of unlicensed riders.
- Educate law enforcement on changes to licensing laws and helmet exemption program that take effect September 1, 2009.
- Encourage law enforcement personnel to take a zero-tolerance approach to non-endorsed motorcycle operators.
- Explore legislation to allow law enforcement to impound motorcycle for non-licensure.

III. PERSONAL PROTECTIVE EQUIPMENT

- Continue to conduct annual observational surveys to monitor the use of helmets. Collect additional information on protective gear use (e.g. eye protection, gloves, jacket, etc); bike type; age; gender, etc.
- Work with representatives from insurance industry, law enforcement, medical professionals, motorcycle dealers and organizations, and others interested parties to explore ways to increase the use of helmets and protective clothing.
- Encourage the usage of all protective equipment by motorcyclists through ongoing PI&E campaigns.
- Provide training for law enforcement on identifying non-DOT compliant helmets.

IV. RIDER EDUCATION AND TRAINING

- Update the condition and quality of the motorcycles used during training.
- Review and update rider training curriculum. Incorporate national standards for rider training when updating, when and if they are developed.
- Explore effective methods to communicate training and legislation changes.

- Explore possibility to develop web-based rider training program.
- Increase/reallocate training funds (SB 1967 mandates that \$5.00 for .
- Increase monitoring of certificates and motorcycle education end-of-course examinations. Conduct more frequent on-site observations of testing procedures.
- Develop and implement a quality assurance plan that increases the number of site and instructor visits and standardizes the review and remediation processes.
- Increase amount of time DPS Motorcycle Safety Unit personnel spend with sponsors and trainers.
- Establish professional development workshops for instructor trainers and sponsors to improve communication and quality assurance; increase retention and share best practices.
- Encourage sponsorship of annual motorcycle safety conference.
- Explore feasibility of developing training program for sport bike riders.
- Implement a “buddy system” program to pair experienced riders with new or returning riders.
- Involve dealerships in distributing training materials and provide incentives to customers to get trained.
- Seek involvement of Texas Motorcycle Dealers Association (TMDA) in TMSC.

V. MOTORCYCLE OPERATION AND ALCOHOL OR OTHER DRUGS

- Develop a comprehensive (education, enforcement, EMS) program to reduce impaired riding. Identify list of strategies, how to implement, and how to measure their effectiveness.
- Fund the development and implementation of motorcycle-specific impaired riding countermeasures.
- Work with communities, state agencies, and riders groups to develop and administrator grassroots activities to prevent and reduce impaired riding. Explore the use of peer-to-peer programs such as *Riders Helping Riders*.
- Conduct outreach to law enforcement on the availability of impaired-riding detection materials from NHTSA, MSF, the American Motorcycle Association, and individual State programs.
- Develop materials on impaired riding and motorcycle laws for prosecutors, judges, and judicial employees.
- Require alcohol/drug education as well as rider education upon conviction for DUI.
- Increase reporting of alcohol involvement in motorcycle crashes.
- Expand “RideSafe Motorcycle Roadside Rescue” program (safe ride home) statewide.
<http://www.ridesafetx.com/>
- Encourage sponsors to provide alternatives to alcohol at bike nights, rallies, events, etc.

VI. RIDER CONSPICUITY AND MOTORIST AWARENESS PROGRAMS

- Revise driver’s handbook to include information on motorist awareness and rider conspicuity
- Update driver’s education curriculum with motorcycle awareness content.
- Initiate public awareness efforts focused on the use of high visibility riding gear and daytime running lights.
- Undertake an awareness campaign to encourage the use of retro-reflective and high visibility riding clothing.
- Include “share the road” message in motorcycle awareness program.
- Expand the TxDOT Share the Road sign program. Develop informational materials for distribution to public about how to request a sign in their county.
- Involve insurance industry in promotion of share the road and motorcycle awareness public service announcements.

- Continue ongoing efforts to promote motorist awareness of motorcycles and sharing the road safely.
- Develop toolkit for riders groups and others for use in promotion of *Share the Road: Look Twice for Motorcycles* campaign message and increasing r

VII. ROADWAY ENGINEERING AND DESIGN

- Develop procedures for State maintenance, design, and engineering personnel to consider handling characteristics of motorcycles when improving, designing, and building highways and roadway structures, including barriers.
- Increase signage in work zones about motorcycle hazards.
- Increase use of variable message signs (VMS) to inform motorcyclists about unsafe road conditions. Use VMS to alert motorists to high motorcycle traffic areas.
- Establish a system to allow the public to report problem areas and unsafe highway locations for motorcyclists to the Texas Department of Transportation.

VIII. LEGISLATION AND REGULATIONS

- Continue with the Texas Motorcycle Safety Coalition.
- Keep law enforcement informed about changes to motorcycle helmet laws and other law changes due to legislation.
- Explore legislation to require use of protective eyewear.

IX. OTHER

- Explore opportunities for STEP funding for enforcement activities to curb aggressive driving around motorcycles.

PROGRAM MANAGEMENT

Guideline

Each state should have centralized program planning, implementation and coordination to identify the nature and extent of its motorcycle safety problems, to establish goals and objectives for the State's motorcycle safety program and to implement projects to reach the goals and objectives.

Status

The lead agency for motorcycle safety in Texas is the Traffic Safety Section of the Texas Department of Transportation (TxDOT). Funding for the Traffic Safety section is by Federal pass-through funds from the NHTSA. These funds, which are part of the 402 program, are dedicated to developing and implementing traffic safety countermeasures within the state.

In addition to the 402 funds, special funds for motorcycle safety were made available by NHTSA. These funds, referred to as Section 2010 Motorcycle Safety Grant funds, were first received in September 2008. These funds were used to implement the Motorcycle Safety Training Program Enhancement project as a statewide training campaign to increase the number of trained motorcyclists. Funds were used to purchase two motorcycle operator training trailers and tow vehicles which are being used to expand the capacity and availability of the mobile motorcycle safety training program in urban and rural areas and promote awareness of motorcycle rider training .

Although there are other state entities that have interests in motorcycle safety, TxDOT, through the 402 program is the central point of data collection, problem identification, countermeasure development and coordination. This is accomplished indirectly through information provided by the national and regional offices of the NHTSA and directly through a series of contracts and grants with educational institutions, state, county and local police agencies, and some private entities.

TxDOT also establishes motorcycle crash reductions objectives and goals for inclusion in the Highway Safety Plan (HSP) and the Strategic Highway Safety Plan (SHSP). The former is developed as part of an internal evaluation process for the 402 program each year, while the later is developed as part of the requirements from the SAFETEA - LU appropriations bill. The SHSP was developed through input received from regional entities interested in traffic safety and communications with TxDOT personnel.

The goal and objectives contained in the SHSP established for FY2010 are given below:

Goal	FY 2010 Objectives
To reduce the number of motorcyclist fatalities	Reduce motorcyclist fatalities to no more than 350 Reduce un-helmeted motorcyclist fatalities to no more than 215

Strategies identified in the HSP to achieve the program goal and objectives include:

- Increase enforcement of existing motorcycle helmet law for riders and passengers under 21.
- Improve public information and education on motorcycle safety, including the value of wearing a helmet.
- Improve public information and education on the value of not operating a motorcycle while under the influence of alcohol and/or other drugs.
- Increase rider education and training.

OPERATOR LICENSING

Guideline

States should require every person who operates a motorcycle on public roadway to pass an examination designed especially for motorcycle operation and to hold a license endorsement specifically authorizing motorcycle operation.

Status

Texas law⁵ requires any person operating a motor vehicle on a highway in the state have a license appropriate for the vehicle being operated. A Class M driver's license authorizes the holder of the license to operate a motorcycle or moped.

A motorcycle is defined as a motor vehicle, other than a tractor, that is equipped with a rider's saddle and designed to have when propelled not more than three wheels on the ground. A moped is a motor-driven cycle that cannot attain a speed in one mile of more than 30 miles per hour and the engine of which cannot produce more than two-brake horsepower; and, if equipped with an internal combustion engine, has a piston displacement of 50 cubic centimeters or less and connects to a power drive system that does not require the operator to shift gears. In addition, there is a classification defining a "Motor-driven cycle", which is a motorcycle equipped with a motor that has an engine piston displacement of 250 cubic centimeters or less. The term does not include an electric bicycle.

In order to obtain a Class "M" license, an applicant must submit to a motorcycle road test given by the DPS. The applicant must pass a written test, a vision test and an on-the-road skills test for which they must provide a passenger vehicle and a licensed driver to convey the license examiner during the road test.

The DPS waives the riding skills test for some motorcycle driver's license applicants. To qualify for a waiver applicants must have a current Class A, B, or C driver's license, and successfully complete a DPS approved Basic Motorcycle Operator Training (BMOT) Course.

Those applicants who do not qualify for a riding test waiver, or who do not wish to attend a safety training course, must undergo the three step testing process to obtain a motorcycle driver's license endorsement.

A restricted Class "M" license may be obtained by those over 15 but under 18 years of age who have completed and passed an operator training course approved by the DPS. To be eligible for this license, an applicant must have the permission of a parent, guardian or either a County Judge or employer, if there is neither a parent nor guardian. There is also a vehicle restriction to 250 cc of engine displacement which can be removed on the licensee's 16th birthday.

A moped license may be obtained by persons over the age of 15 by taking the written examination and vision test. An on-the-road skills test is not required.

All applicants are required to have an appropriately registered and inspected motorcycle and proof of liability insurance.

⁵ Texas Transportation Code, Section 521, 2008.

RIDER EDUCATION AND TRAINING

Guideline

Safe Motorcycle operation requires specialized training by qualified instructors. Each state should establish a State Motorcycle Education Program.

Status

The DPS houses the Motorcycle Safety Unit (MSU), which is responsible for coordinating and regulating motorcycle safety training in the state. The MSU currently provides motorcycle operator training through 90 sponsors who offer courses in 160 locations. The MSU is also responsible for Motorcycle Safety Instructor training and approval and has over 500 Instructors in Texas.

By current statute, the MSU is responsible for approving fees charged by each sponsor for their service and collects \$5.00 from each participant which it sends, in turn, to the state Comptroller for the dedicated purpose of motorcycle education. Money from this account may be used by the MSU to defray the cost of administering the motorcycle training and education program.

Although this is a dedicated fund according to statute (Title 7, Subsection G, Section 661.011), there is some question as to the funds' accessibility by the MSU.

In FY 2009 the MSU of the DPS had oversight of:

- 41,393 students trained
- 70 permanent training locations
- 8 mobile training locations

The Unit was responsible for the production of 859,000 pieces of promotional/awareness materials and distributing 569,331 promotional/awareness materials.

In September 2008, using Section 2010 grant funds provided by TxDOT, the MSU implemented the Motorcycle Safety Training Program Enhancement project as a statewide training campaign to increase the number of trained motorcyclists. Grant funds were used to purchase two motorcycle operator training trailers and tow vehicles. These trailers are being used to expand the capacity and availability of the mobile motorcycle safety training program in urban and rural areas.

PERSONAL PROTECTIVE EQUIPMENT

Guideline

Each state is encouraged to have and enforce a mandatory all-rider motorcycle helmet use law. In addition, each state should encourage the use of proper clothing and eye and face protection.

Status

As is the case with many states, Texas has had an on again, off again law regarding motorcycle helmets. The state motorcycle helmet law was repealed for age 18 and over in 1977. It was reinstated for all in 1989. In 1997, the law was modified such that those over 21 years of age can ride without a helmet provided they had completed a motorcycle safety course or carry at least \$10,000 in medical insurance. In essence, Texas has a requirement to wear helmets with exemptions. As can be seen from the observational surveys, helmet use is at about 60 percent, which means that a substantial portion of riders are complying with the exemption rules or not abiding by the law.

MOTORCYCLE OPERATION AND ALCOHOL OR OTHER DRUGS

Guidelines

Each state should ensure that programs addressing impaired driving include a motorcycle component.

Status

In the past, the majority of alcohol and drugged driving programs were targeting specific segments of the non-motorcycle drivers. However, in recent years, alcohol and drugged rider information has been the subject of specific public information and education efforts and information of impaired riding is beginning to make its way into other programs as well.

CONSPICUITY AND MOTORIST AWARENESS PROGRAMS

Guidelines

State motorcycle safety programs, communication campaigns and state motor vehicle operator manuals should emphasize the issues of rider conspicuity and motorist awareness of motorcycles.

Status

A motorist awareness campaign was developed and is being implemented by Texas Transportation Institute (TTI). The Public Education Campaign Materials to Improve Motorists Awareness of Motorcyclists (MAM) project developed radio and television public service announcements (PSA), outdoor campaign materials and a website. The website titled LookLearnLive.org consists of internet audio and video; motorist awareness, rider education and rider awareness public service announcements. The MAM project's non-internet portion consisted of the production of traditional outreach methods; posters, brochures, stuffers, radio & television public service announcements, graphics designs, billboards, bus wraps and an event display booth.

In addition, TxDOT launched the "Look Twice for Motorcycles" as part of TxDOT's summer traffic safety campaign. The campaign consisted of radio and television PSA's and outdoor media billboards. In partnership with the Texas Motorcycle Roadriders Association (TMRA), TxDOT encouraged motorists to drive a safe speed and to pay particular attention to motorcyclists. The campaign coincided during the internationally recognized "Ride to Work Day"; July 14, 2008 – July 25, 2008. Some billboards still remain to remind motorists to look for motorcyclists.

TxDOT district offices were asked to continue to use electronic/dynamic message boards to display a motorcycle safety message when large motorcycle rallies were occurring in their respective areas. TxDOT installed "Share the Road" decals on back of its "Watch for Ice on Bridge" signs on numerous roadways. Texas supported the Motorcycle Safety and Awareness Month by recognition from the Governor via a proclamation. The Governor's Proclamation was distributed to TxDOT districts and rider groups.

Attachment E

Links to Other State Motorcycle Assessments

California:

http://www.ots.ca.gov/pdf/Publications/Motorcycle_Safety_Program_Technical_Assessment_for_the_State_of_California_REV.pdf

Wisconsin:

http://www.smsa.org/reports/LeadingEdge/2009_Communications/Wisconsin.pdf

Arizona:

[http://www.azgohs.gov/UserFiles/Arizona%20State%20Motorcycle%20Safety%20Program%20Technical%20Assessment%20\(Final%20Report\).pdf](http://www.azgohs.gov/UserFiles/Arizona%20State%20Motorcycle%20Safety%20Program%20Technical%20Assessment%20(Final%20Report).pdf)

Illinois:

<http://www.abate-il.org/safety/stats04/State%20of%20Illinois%20Motorcycle%20Safety%20Program.pdf>