

MINUTES

MONTANA SENATE 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By CHAIRMAN TVEIT, on MARCH 2, 1989, at 1:00 p.m. in Room 410 of the State Capitol.

ROLL CALL

Members Present: SENATORS: Larry Tveit, Darryl Meyer, Hubert Abrams, Bill Farrell, John Harp, Jerry Noble, Lawrence Stimatz, Cecil Weeding, Bob Williams

Members Excused: None

Members Absent: None

Staff Present: Lee Heiman, Legislative Council

Announcements/Discussion: CHAIRMAN TVEIT announced the hearings on House Bill 231, House Bill 119 and House Bill 297.

HEARING ON HOUSE BILL 231

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE DAVE BROWN, District 72 explained House Bill 231 as a motorcycle safety training voluntary programs. If a motorcyclist drives a complicated traffic pattern out on the highway and is inexperienced, he will usually experience great difficulty. The need for motorcycle safety becomes evident when one becomes aware of the number of motorcyclists on the highways. The majority of accidents involving motorcycles are in the first two years of operating a bike. The motorcycle education program is to provide the operator with the knowledge and skills necessary to bridge that experience gap. He explained the changes that were made in the House of Representatives. They struck out "educators" and inserted "qualified persons" because motorcycle training people are not always educators. They might be motorcyclists who have gone through training. The initial fee in this was bill set at \$5.

Representative Brown stated that the fiscal note does not accurately reflect the amount of dollars that would be involved. The fiscal note references 25,000 motorcyclists in Montana, but Deer Lodge indicates that there are 38,000 plus. They cut the fee in half to \$2.50, which will raise approximately \$100,000.

List of Testifying Proponents and What Group they Represent:

Gail Gray, Assistant Superintendent for the Office of Public Instruction
Dal Smilie, National Vice Chairman of the American Motorcycle Association
Gordon Defendorf, ABATE of Montana
Dick Field, MSF Safety Instructor
Linda Ellison, MT Trail Bike Riders Association
Duane Tooley, Chief of the Driver Services Bureau
Thomas Dowling, Attorney representing the Motorcycle Safety Foundation of Arlington, Virginia

List of Testifying Opponents and What Group They Represent:

None

Testimony:

GAIL GRAY, Assistant Superintendent for Office of Public Instruction stated they are strong proponents for House Bill 231. SEE EXHIBIT 1.

DAL SMILIE, National Vice Chairman for the American Motorcycle Association stated that history has shown that motorcycle safety training works. In 1974 the Motorcycle Safety Foundation, a national organization was founded to provide a system of teaching motorcycle safety. Currently 30 states have some state supported safety training. The way the program is set up is should the Office of Public Instruction not be able to run the program it just quits.

GORDON DEFENDORF representing ABATE (American Bikers Aiming Toward Education) gave their support for House Bill 231. SEE EXHIBIT 2.

DICK FIELD, MSF Safety Instructor gave support of House Bill 231. SEE EXHIBIT 3.

LINDA ELLISON representing the Montana Trail Bike Riders Association stated that 3 out of 4 machines in Montana are either off-highway vehicles or dual purpose machines. They are in support of House Bill 231. SEE EXHIBIT 4.

DUANE TOOLEY, Chief of the Driver Services Bureau stated they support this legislation in its present form.

THOMAS DOWLING, Attorney representing the Motorcycle Safety Foundation of Arlington, Virginia turned in his testimony in support of House Bill 231. SEE EXHIBIT 5.

Questions From Committee Members: SENATOR WILLIAMS asked whether the \$2.50 would cover everything.

REPRESENTATIVE BROWN stated that OPI's statistics are around \$80,000 and if Deer Lodge is accurate on the number of bikes, it is estimated to raise around \$100,000. There will be a little excess to be sure.

SENATOR FARRELL asked about page 4, line 8 with regard to OPI charging a fee.

REPRESENTATIVE BROWN explained that it was left in because at the time, they were unsure as to the number of bikes in the state. He does not anticipate an additional fee being charged.

SENATOR WEEDING asked what type of program the Office of Public Instruction envisions this to be.

CURT HAHN, Education Specialist for the Office of Public Instruction stated that they would employ a half time FTE to coordinate and develop this program or to contract with an individual. The Motorcycle Safety Foundation has an excellent curriculum used in other states, and OPI anticipates adopting that curriculum. There will be an advisory committee as outlined in the bill who would see initially outlining the policies that would go in place. They would either do some instructor training or bring someone in from the MSF that could train a core of people who are interested in providing that instruction.

Closing by Sponsor: REPRESENTATIVE BROWN closed the hearing on House Bill 231 and appointed Senator Hager to carry the bill should it pass.

DISPOSITION OF HOUSE BILL 231

Discussion: Senator Hager will carry the bill.

Amendments and Votes: None

Recommendation and Vote: SENATOR NOBLE MOVED that HOUSE BILL 231 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

HEARING ON HOUSE BILL 119

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE KNAPP, District 27 opened the hearing on House Bill 119. He stated that the bill was at the request of the County Treasurers Association. SEE EXHIBIT 6. The processing of personalized plates results in a loss of dollars and time at the county level.

List of Testifying Proponents and What Group they Represent:

Cort Harrington, Attorney representing the Montana
County Treasurers Association
Bob Robinson, Motor Vehicle Division

List of Testifying Opponents and What Group They Represent:

None

Testimony:

CORT HARRINGTON representing the Montana County Treasurers Association stated that it is a time-consuming process in the County Treasurers Office and it is something that they did not receive direct reimbursement for the administrative costs. The bill would increase the initial cost from \$20 to \$25 and to increase the annual renewal from \$5 to \$10. The treasurers are in support of the bill as it is drafted now.

BOB ROBINSON from the Motor Vehicle Division expressed support for House Bill 119.

Questions From Committee Members: None

Closing by Sponsor: REPRESENTATIVE KNAPP closed the hearing on House Bill 119. He reminded the Committee that personalized plates are a luxury and they represent a specialized service.

DISPOSITION OF HOUSE BILL 119

Discussion: Senator Weeding will carry the bill.

Amendments and Votes: None

Recommendation and Vote: SENATOR NOBLE MOVED that HOUSE

BILL 119 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

HEARING ON HOUSE BILL 297

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE ROTH, District 96 explained that House Bill 297 was at the request of the antique car collector clubs around the state. This bill will allow that a license plate of an original year origin be placed on a car. Which means if you have a '58 cadillac, you would be able to get a plate of a 1958 origin. It would not allow the car to be driven on a day to day basis, but would be under the same restrictions of a vintage plate. It does allow for a \$20 fee, which generates a positive impact on the general fund.

List of Testifying Proponents and What Group they Represent:

Bob Robinson, Motor Vehicle Division

List of Testifying Opponents and What Group They Represent:

None

Testimony:

BOB ROBINSON, Motor Vehicle Division stated that there was a change made to the original bill with regard to the sticker being placed on the plate. The Committee changed that to place the sticker on the windshield or any other place that would be readily available.

Questions From Committee Members: SENATOR NOBLE asked if the plates would be applied for and then made.

REPRESENTATIVE ROTH explained that this bill would not require that the plates be manufactured. They would have to obtain an original plate from one of the local collector clubs. The only thing the state will be responsible for is verifying that it is an accurate-valid plate and providing the sticker.

Closing by Sponsor: REPRESENTATIVE ROTH closed the hearing on House Bill 297.

DISPOSITION OF HOUSE BILL 297

Discussion: Bob Williams will carry the bill.

Amendments and Votes: None

Recommendation and Vote: SENATOR WILLIAMS MOVED that HOUSE
BILL 297 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL 149

Discussion: None

Amendments and Votes: None

Recommendation and Vote: SENATOR HARP MOVED that HOUSE BILL
149 BE TABLED.

MOTION PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL 223

Discussion: Senator Noble will carry the bill.

Amendments and Votes: None

Recommendation and Vote: SENATOR NOBLE MOVED that HOUSE
BILL 223 BE CONCURRED IN.

MOTION PASS UNANIMOUSLY.

DISPOSITION OF HOUSE BILL 392

Discussion: Senator Vaughn will carry the bill.


Amendments and Votes: None

Recommendation and Vote: SENATOR FARRELL MOVED that HOUSE
BILL 392 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

ADJOURNMENT

Adjournment At: 2:00 p.m.



SENATOR LARRY TVEIT, Chairman

ROLL CALL

HIGHWAY

COMMITTEE

DATE March 2, 1989

51st

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
CHAIRMAN TVEIT	✓		
VICE CHAIRMAN MEYER	✓		
SENATOR ABRAMS	✓		
SENATOR FARRELL	✓		
SENATOR WEEDING	✓		
SENATOR NOBLE	✓		
SENATOR STIMATZ	✓		
SENATOR HARP	✓		
SENATOR WILLIAMS	✓		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

March 2, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 231 (third reading copy -- blue), respectfully report that HB 231 be concurred in.

Sponsor: Brown, D. (Hager)

BE CONCURRED IN

Signed: _____
Larry J. Tveit, Chairman

41.0.184
312184
3.44 P.M.

SENATE STANDING COMMITTEE REPORT

March 2, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 119 (third reading copy -- blue), respectfully report that HB 119 be concurred in.

Sponsor: Knapp (Weeding)

BE CONCURRED IN

Signed: _____
Larry J. Tveit, Chairman

SENATE STANDING COMMITTEE REPORT

March 2, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 297 (third reading copy -- blue), respectfully report that HB 297 be concurred in.

Sponsor: Roth (Williams)

BE CONCURRED IN

Signed: _____
Larry J. Tveit, Chairman

*YJC
2/17/89
5:30
P.M.*

SENATE STANDING COMMITTEE REPORT

March 2, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 223 (third reading copy -- blue), respectfully report that HB 223 be concurred in.

Sponsor: Wallin (Noble)

BE CONCURRED IN

Signed: _____
Larry J. Tveit, Chairman

SENATE STANDING COMMITTEE REPORT

March 2, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 392 (third reading copy -- blue), respectfully report that HB 392 be concurred in.

Sponsor: Darko (Vaughn)

BE CONCURRED IN

Signed: 
Larry J. Tveit, Chairman

TESTIMONY: HB231
MOTORCYCLE SAFETY TRAINING
PROPONENT

Mr. Chairman, Committee, I am Gail Gray, Assistant Superintendent for Curriculum Services for the Office of Public Instruction. We are a Proponent of this bill. Motorcycle Driver Education is an important component of a total Traffic Education Program. OPI has always encouraged schools and others to provide this instruction but has had very limited staff and funds to give assistance or train instructors.

Montana needs to train motorcycle drivers. The Montana Highway Patrol's 1987 Annual Report shows that there were 391 motorcycle accidents resulting in 26 deaths and 408 injuries. A recent motorcycle accident cause study, available through the National Technical Information Service, showed that:

1. In single vehicle accidents, motorcycle rider error was present as the accident precipitating factor in about two-thirds of the cases;

2. Motorcycle riders between the ages of 16 and 24 are significantly overrepresented in accidents;

3. Motorcycle riders involved in accidents are essentially without training. Ninety-two percent were self-taught or learned from family or friends;

4. More than half of the accident-involved motorcycle riders had less than five months experience on the accident motorcycles;

5. Voluntary safety helmet use by those accident-involved motorcycle riders was lowest for untrained, uneducated young riders.

With me today is Curt Hahn, Traffic Education Specialist for OPI. He is available to answer questions. The Office of Public Instruction commends the authors of this bill for promoting Traffic Safety Education and encourages its passage. Thank You.

SENATE HIGHWAYS

EXHIBIT NO. 2

DATE 3-2-89

BILL NO. HB 231

STATE OF MONTANA



• AMERICAN BIKERS AIMING TOWARD EDUCATION •

SENATE HIGHWAYS

EXHIBIT NO. 3

DATE 3-2-89

BILL NO. HB231

March 2, 1989

SENATE HIGHWAYS COMMITTEE

Dear Committee Member:

Re: HB 231

I am a Motorcycle Safety Foundation Certified Safety Instructor. Please support HB 231, as it is a very real and viable solution for the riding safety of Montana's motorcyclists.

Through the support of the Office of Public Instruction's Traffic Education Office, I initiated a MSF Training Program to provide motorcycle safety instruction in September, 1988 (pamphlet attached). OPI contracted my services to provide motorcycle safety training to experienced riders, after being instrumental in enabling me to receive MSF Re-certification Training at Everett Community College, Everett Washington in June, 1988. I originally completed MSF Instructor Certification Training in Rapid City, South Dakota in June, 1985 at my own expense.

This training program responds to many of the issues brought forth in the HURT STUDY (condensation attached). Item #4 of this study focuses attention of the primary cause of single vehicle motorcycle accidents, and reads:

"In the single vehicle accidents, motorcycle rider error was present as the accident precipitating factor in about two-thirds of the cases, with the typical error being a slide-out and fall due to over-braking or running wide on a curve due to excess speed or ender-cornering."

The Motorcycle Safety Foundation Rider Education Courses teach braking and turning skills, plus many other skills equally important to safe and prudent motorcycle operation. 30 States have already adopted self funded programs for motorcycle safety training (attached).

I will be present at this hearing and will be available to answer any questions you may have regarding MSF Courses and rider safety.

Respectfully



Richard E. Field,
MSF Safety Instructor
137 Fairway Drive
Helena, Montana 59601
443-5739 home
449-6514 business

Findings from the Hurt Study

Motorcycle Accident Cause Factors and Identification of Countermeasures

A motorcycle accident study offers you and your students a wealth of information about accidents and how to avoid them. The "Motorcycle Accident Cause Factors and Identification of Countermeasures," is a study conducted by the University of Southern California (USC). With funds from the National Highway Traffic Safety Administration, researcher Harry Hurt investigated almost every aspect of 900 motorcycle accidents in the Los Angeles area. Additionally, Hurt and his staff analyzed 3,600 motorcycle traffic accident reports in the same geographic area.

Reprinted here for your information and use are the findings.

The final report is several hundred pages. If you choose to have this document in your resource library, the order information is:

Motorcycle Accident Cause Factors and Identification of Countermeasures, Volume I: Technical Report, Hurt, H.H., Ouellet, J.V. and Thom, D.R., Traffic Safety Center, University of Southern California, Los Angeles, California 90007, Contract No. DOT HS-5-01160, January 1981 (Final Report)

This document is available through:

The National Technical Information Service, Springfield, Virginia 22161

"Motorcycle Accident Cause Factors and Identification of Countermeasures"

Findings

Throughout the accident and exposure data there are special observations which relate to accident and injury causation and characteristics of the motorcycle accidents studied. These findings are summarized as follows:

1. Approximately three-fourths of these motorcycle accidents involved collision with another vehicle, which was most usually a passenger automobile.
2. Approximately one-fourth of these motorcycle accidents were single vehicle accidents involving the motorcycle colliding with the roadway or some fixed object in the environment.
3. Vehicle failure accounted for less than 3% of these motorcycle accidents, and most of those were single vehicle accidents where control was lost due to a puncture flat.
- * 4. In the single vehicle accidents, motorcycle rider error was present as the accident precipitating factor in about two-thirds of the cases, with the typical error being a slide-out and fall due to overbraking or running wide on a curve due to excess speed or under-cornering.
5. Roadway defects (pavement ridges, potholes, etc.) were the accident cause in 2% of the accidents; animal involvement was 1% of the accidents.
6. In the multiple vehicle accidents, the driver of the other vehicle violated the motorcycle right-of-way and caused the accident in two-thirds of those accidents.
7. The failure of motorists to detect and recognize motorcycles in traffic is the predominant cause of motorcycle accidents. The driver of the other vehicle involved in collision with the motorcycle did not see the motorcycle before the collision, or did not see the motorcycle until too late to avoid the collision.

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8. Deliberate hostile action by a motorist against a motorcycle rider is a rare accident cause.
 9. The most frequent accident configuration is the motorcycle proceeding straight then the automobile makes a left turn in front of the oncoming motorcycle.
 10. Intersections are the most likely place for the motorcycle accident, with the other vehicle violating the motorcycle right-of-way, and often violating traffic controls.
 11. Weather is not a factor in 98% of motorcycle accidents.
 12. Most motorcycle accidents involve a short trip associated with shopping, errands, friends, entertainment or recreation, and the accident is likely to happen in a very short time close to the trip origin.
 13. The view of the motorcycle or the other vehicle involved in the accident is limited by glare or obstructed by other vehicles in almost half of the multiple vehicle accidents.
 14. Conspicuity of the motorcycle is a critical factor in the multiple vehicle accidents, and accident involvement is significantly reduced by the use of motorcycle headlamps-on in daylight and the wearing of high visibility yellow, orange or bright red jackets.
 15. Fuel system leaks and spills were present in 62% of the motorcycle accidents in the post-crash phase. This represents an undue hazard for fire.
 16. The median pre-crash speed was 29.8 mph, and the median crash speed was 21.5 mph, and the one-in-a-thousand crash speed is approximately 86 mph.
 17. The typical motorcycle pre-crash lines-of-sight to the traffic hazard portray no contribution of the limits of peripheral vision; more than three-fourths of all accident hazards are within 45° of either side of straight ahead.
 18. Conspicuity of the motorcycle is most critical for the frontal surfaces of the motorcycle and rider.
 19. Vehicle defects related to accident causation are rare and likely to be due to deficient or defective maintenance.
 20. Motorcycle riders between the ages of 16 and 24 are significantly overrepresented in accidents; motorcycle riders between the ages of 30 and 50 are significantly underrepresented.
 21. Although the majority of the accident-involved motorcycle riders are male (96%), the female motorcycle riders are significantly overrepresented in the accident data.
 22. Craftsmen, laborers, and students comprise most of the accident-involved motorcycle riders but the professionals, sales workers, and craftsmen are underrepresented and the laborers, students, and unemployed are overrepresented in the accidents.
 23. Motorcycle riders with previous recent traffic citations and accidents are overrepresented in the accident data.
 24. The motorcycle riders involved in accidents are essentially without training; 92% were self-taught or learned from family or friends. Motorcycle rider training experience reduces accident involvement and is related to reduced injuries in the event of accidents.
 25. More than half of the accident-involved motorcycle riders had less than 5 months experience on the accident motorcycle, although the total street riding experience was almost 3 years. Motorcycle riders with dirt bike experience are significantly underrepresented in the accident data.
 26. Lack of attention to the driving task is a common factor for the motorcyclist in an accident.
 27. Almost half of the fatal accidents show alcohol involvement.

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28. Motorcycle riders in these accidents showed significant collision avoidance problems. Most riders would overbrake and skid the rear wheel, and underbrake the front wheel greatly reducing collision avoidance deceleration. The ability to countersteer and swerve was essentially absent.
 29. The typical motorcycle accident allows the motorcyclist just less than 2 seconds to complete all collision avoidance action.
 30. Passenger-carrying motorcycles are not overrepresented in the accident area.
 31. The driver of the other vehicles involved in collision with the motorcycle are not distinguished from other accident populations except that the ages of 20 to 29, and beyond 65 are overrepresented. Also, these drivers are generally unfamiliar with motorcycles.
 32. The large displacement motorcycles are underrepresented in accidents but they are associated with higher injury severity when involved in accidents.
 33. Any effect of motorcycle color on accident involvement is not determinable from these data, but is expected to be insignificant because the frontal surfaces are most often presented to the other vehicle involved in the collision.
 34. Motorcycles equipped with fairings and windshields are underrepresented in accidents, most likely because of the contribution to conspicuity and the association with more experienced and trained riders.
 35. Motorcycle riders in these accidents were significantly without motorcycle license, without any license, or with license revoked.
 36. Motorcycle modifications such as those associated with the semi-chopper or cafe racer are definitely overrepresented in accidents.
 37. The likelihood of injury is extremely high in these motorcycle accidents: 98% of the multiple vehicle collisions and 96% of the single vehicle accidents resulted in some kind of injury to the motorcycle rider; 45% resulted in more than a minor injury.
 38. Half of the injuries to the somatic regions were to the ankle-foot, lower leg, knee, and thigh-upper leg.
 39. Crash bars are not an effective injury countermeasure; the reduction of injury to the ankle-foot is balanced by increase of injury to the thigh-upper leg, knee, and lower leg.
 40. The use of heavy boots, jacket, gloves, etc., is effective in preventing or reducing abrasions and lacerations, which are frequent but rarely severe injuries.
 41. Groin injuries were sustained by the motorcyclist in at least 13% of the accidents, which typified by multiple vehicle collision in frontal impact at higher than average speed.
 42. Injury severity increases with speed, alcohol involvement and motorcycle size.
 43. Seventy-three percent of the accident-involved motorcycle riders used no eye protection, and it is likely that the wind on the unprotected eyes contributed in impairment of vision which delayed hazard detection.
 44. Approximately 50% of the motorcycle riders in traffic were using safety helmets but only 40% of the accident-involved motorcycle riders were wearing helmets at the time of the accident.
 45. Voluntary safety helmet use by those accident-involved motorcycle riders was lowest for untrained, uneducated, young motorcycle riders on hot days and short trips.
 46. The most deadly injuries to the accident victims were injuries to the chest and head.
 47. The use of the safety helmet is the single critical factor in the prevention of reduction of head injury; the safety helmet which complies with FMVSS 218 is a significantly effective injury countermeasure.
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48. Safety helmet use caused no attenuation of critical traffic sounds, no limitation of precrash visual field, and no fatigue or loss of attention; no element of accident causation was related to helmet use.
 49. FMVSS 218 provides a high level of protection in traffic accidents, and needs modification only to increase coverage at the back of the head and demonstrate impact protection of the front of full facial coverage helmets, and insure all adult sizes for traffic use are covered by the standard.
 50. Helmeted riders and passengers showed significantly lower head and neck injury for all types of injury, at all levels of injury severity.
 51. The increased coverage of the full facial coverage helmet increases protection, and significantly reduces face injuries.
 52. There is not liability for neck injury by wearing a safety helmet; helmeted riders had less neck injuries than unhelmeted riders. Only four minor injuries were attributable to helmet use, and in each case the helmet prevented possible critical or fatal head injury.
 53. Sixty percent of the motorcyclists were not wearing safety helmets at the time of the accident. Of this group, 26% said they did not wear helmets because they were uncomfortable and inconvenient, and 53% simply had no expectation of accident involvement.
 54. Valid motorcycle exposure data can be obtained only from collection at the traffic site. Motor vehicle or driver license data presents information which is completely unrelated to actual use.
 55. Less than 10% of the motorcycle riders involved in these accidents had insurance of any kind to provide medical care or replace property.

Release, Waiver and Indemnification

The undersigned participant and his/her parent or legal guardian (if under 18 years of age) do hereby execute this release, waiver and indemnification for him/her self and his/her heirs, successors, representatives and assigns; and hereby agree and represent as follows:

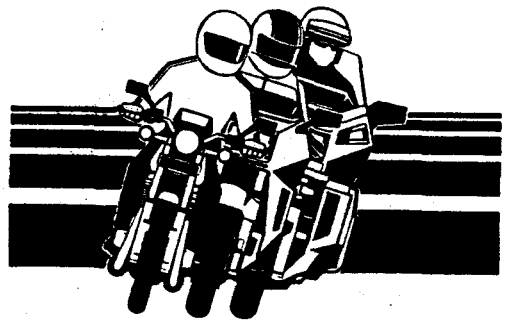
To release the Montana Motorcycle Safety Program, its members, contractors and employees, instructors, agents, and those governmental agencies and other organizations affiliated with this course including but not limited to the Motorcycle Safety Foundation, its members, employees, agents and representatives for any and all liability, loss, damage, costs, claims and/or causes of action including but not limited to all bodily injuries and property damage arising out of participation in the course referred to above, it being specifically understood that said course includes the operation and use by the undersigned participant and others of motorcycles. The undersigned further agree to indemnify and hold harmless for any liability, loss, damage, cost, claim judgment or settlement which may be brought or entered against them as a result of the undersigned's participation in said course. This indemnification shall include attorney's fees incurred in defending against any claim or judgment and incurred in negotiating any settlement. It is understood and agreed that the undersigned shall have the opportunity to consent to any such settlement, provided, however, that such consent shall not be unreasonably withheld. It is further agreed the undersigned will pay or reimburse for any expenses resulting from damage to any motorcycle which occurs while it is being ridden or handled by him/her or under his/her control.

This form MUST be completed and signed, and payment received before enrollee participates in course activities.

I have carefully read this release and understand its contents, and I voluntarily sign the same as my own free act.

Signature _____ Signature _____ Date _____

Student _____ Parent or Guardian if under 18 _____



1988



MOTORCYCLE SAFETY FOUNDATION CYCLE SAFETY INFO

National Resource Office
P.O. Box 5044
Costa Mesa, CA 92628-5044
(714) 241-9922

The information summarized on this chart includes only those provisions which are specified in state law. Many of the states listed have additional provisions relating to implementation of the rider education program which are specified in regulations or administrative rules.

STATE FUNDED MOTORCYCLE RIDER EDUCATION LEGISLATION

State	Source and Amount of Earmarked Fee	Estimated Annual Funding Generated	Stipulated Uses	Additional Provisions	Effective Date	Administering Agency
Arizona	Motorcycle registration — \$1.00	\$78,000	Motorcycle testing and education programs.	State may contract with public and private agencies to implement education program.	July 24, 1981	Department of Transportation - Motor Vehicle Division
California	Motorcycle registration — \$2.00	\$1.4 million	Motorcycle rider training programs, public awareness.	Advisory committee may be established. Beginning 1/1/88, course completion required for riders under 18 prior to licensing.	January 1, 1986	Department of California Highway Patrol
Connecticut	Motorcycle registration — \$2.00	\$122,000	Motorcycle rider education program.	10% insurance discount for graduates.	July 1, 1982	Department of Transportation
Delaware	Motorcycle registration — \$4.00; Initial motorcycle endorsement — \$2.00; Motorcycle endorsement renewal — \$5.00	\$85,000	Motorcycle rider education program.	Courses open to all state residents with driver's license or motorcycle permit. MSF MRC curricula or equivalent course. Written exam and road test waived upon course completion. Provides instructor requirements. Tuition may be charged. Course completion required for riders under 18 prior to licensing.	July 1, 1985	Department of Public Safety
Florida	Motorcycle registration - \$2.50	\$600,000	Motorcycle safety courses.	Department shall prescribe curricula and qualifications for instructor certification; these may be developed by MSF or other traffic safety groups. Courses to be conducted by community colleges or other approved organizations. Reasonable fee may be charged, which shall be refunded upon course completion. Course completion required for first-time license applicants.	October 1, 1987	Department of Highway Safety & Motor Vehicles
Georgia	Motorcycle registration — \$3.00	\$269,000	Motorcycle operator safety training programs.	Motorcycle safety coordinator provided; instructor qualifications. Courses to be based on MSF Motorcycle RiderCourse or equivalent.	January 1, 1985	Department of Public Safety
Illinois	Motorcycle registration - \$4.00, \$2.00 for a half year	\$964,000	Cycle Rider Safety Training Courses	Courses offered through Regional Training Centers to valid driver's license holders who are at least 16. Mandatory for 16 and 17 year olds in order to operate 150cc or larger motorcycle. Registration fee refunded upon course completion.	January 1, 1982	Department of Transportation
Indiana	Motorcycle registration - \$2.00	\$266,000	Motorcycle operator safety education program, instructor training, public awareness, improving licensing system.	Coordinator, training specialist and 5-member advisory committee provided. Courses to be equal to or more stringent than MSF courses. Dept. may enter into contracts with regional training centers or other approved sites. Sites may charge tuition fee.	January 1, 1987	Department of Education

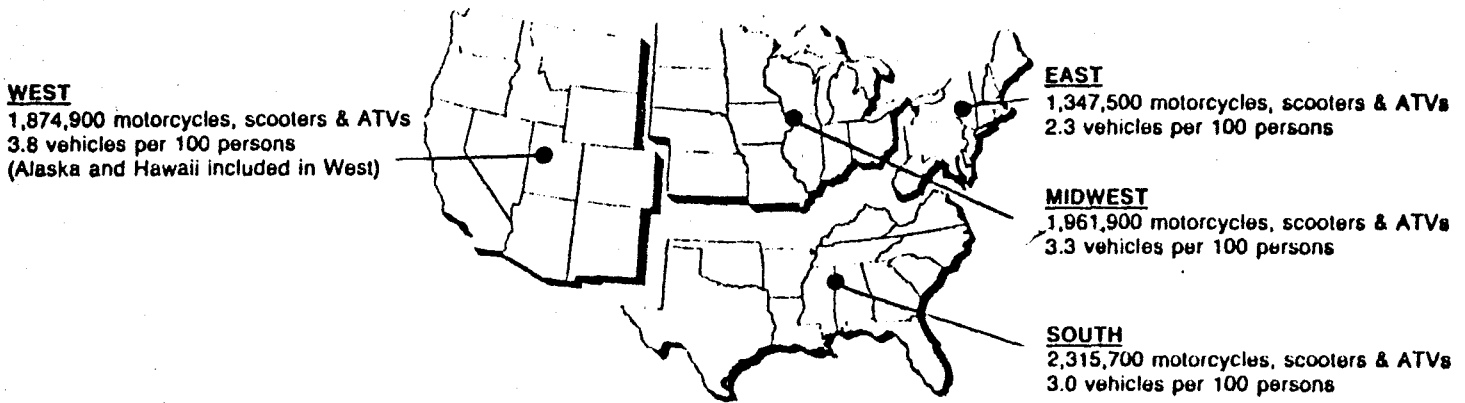
**U.S.
 MOTORCYCLE
 POPULATION
 AND
 PENETRATION
 BY REGION
 AND STATE**

On a regional basis the greatest number of motorcycles, scooters and ATVs in use in 1987 were in the South and the Midwest. Although the West ranked third in motorcycle, scooter and ATV population, California was, by far, the nation's leading state, where one in every eight (13%) of the nation's motorcycles, scooters and ATVs were owned.

In 1987 there were an estimated 3.1 motorcycles, scooters and ATVs owned by every 100 persons living in the United States. Regionally, penetration was highest in the West where 3.8 vehicles were owned for every 100 residents, and lowest in the East where 2.3 vehicles were owned for every 100 residents.

Nearly one third (32%) of the nation's motorcycle, scooter and ATV population was owned in the five leading states; California, Texas, New York, Ohio and Michigan.

1987 ESTIMATED U.S. MOTORCYCLE POPULATION AND PENETRATION BY REGION



1987 ESTIMATED U.S. MOTORCYCLE POPULATION AND PENETRATION BY STATE

State	Motorcycle Population	Motorcycle Population by Model Type			Motorcycle Penetration Per 100 Population
		On-Hwy.	Off-Hwy.	Dual Purpose	
Alabama	159,800	56,200	87,800	15,800	3.9
Alaska	39,700	6,300	29,300	4,100	7.6
Arizona	127,400	52,700	63,500	11,200	3.8
Arkansas	136,000	36,500	88,100	11,400	5.7
California	955,000	513,100	349,900	92,000	3.5
Colorado	109,500	51,300	42,100	16,100	3.3
Connecticut	81,000	50,400	25,400	5,200	2.5
Delaware	14,300	7,000	6,400	900	2.2
D.C.	2,000	2,000	0	0	0.3
Florida	303,900	163,800	111,800	28,300	2.5
Georgia	197,400	74,200	105,400	17,800	3.2
Hawaii		Not Available			
Idaho	63,000	18,000	30,800	14,200	6.3
Illinois	268,700	172,800	74,600	21,300	2.3
Indiana	190,000	103,600	73,500	12,900	3.4
Iowa	140,800	95,600	34,700	10,500	5.0
Kansas	82,900	45,800	28,700	8,400	3.3
Kentucky	94,800	35,000	51,200	8,600	2.5
Louisiana	157,600	51,100	96,300	10,200	3.5
Maine	60,600	30,000	26,600	4,000	5.1
Maryland	91,400	53,100	30,800	7,500	2.0
Mass.	122,700	75,400	41,300	6,000	2.1
Michigan	308,000	137,400	151,100	19,500	3.3
Minnesota	175,600	86,900	75,800	13,100	4.1
Mississippi	92,600	25,300	60,700	6,600	3.5
Missouri	154,000	56,000	87,500	10,500	3.0
Montana	44,200	12,300	22,400	9,500	5.5
Nebraska	64,200	27,700	29,500	7,000	4.0
Nevada	38,300	14,700	19,300	4,300	3.8
N.H.	61,300	33,000	25,100	3,200	5.8
New Jersey	138,300	76,100	52,500	9,700	1.8
New Mexico	54,400	23,200	22,700	8,500	3.6
New York	345,400	197,700	127,200	20,500	1.9
N.C.	169,600	67,200	89,800	12,600	2.6
N.D.	33,800	14,800	14,200	4,800	5.0
Ohio	312,400	175,200	120,600	16,600	2.9
Oklahoma	119,000	47,400	52,400	19,200	3.6
Oregon	128,900	53,700	61,400	13,800	4.7
Penn.	302,300	137,400	140,300	24,600	2.5
R.I.	25,300	18,800	5,000	1,500	2.6
S.C.	72,400	36,600	30,500	5,300	2.1
S.D.	33,600	15,900	13,400	4,300	4.7
Tennessee	178,500	60,500	100,800	17,200	3.7
Texas	483,600	235,800	201,200	46,600	2.9
Utah	103,900	29,500	56,100	18,300	6.2
Vermont	22,900	10,000	11,300	1,600	4.2
Virginia	150,500	75,600	61,200	13,700	2.5
Washington	183,400	90,800	70,700	21,900	4.0
W. Virginia	80,000	19,900	51,300	8,800	4.2
Wisconsin	197,900	119,100	63,100	15,700	4.1
Wyoming	27,200	7,600	14,900	4,700	5.6
U.S. Total	7,500,000	3,600,000	3,230,000	670,000	3.1

Note: Includes scooters and ATVs, and excludes mopeds and nopedes. See page 6 for model type definitions. The 1984 - 1987 state estimates are comparable only to the 1980 and revised 1979 estimates.

THE MARKET VOLUME

DOWLING LAW FIRM, P.S.C.

3030 N. MONTANA AVE.
VALLEY BANK BUILDING
HELENA, MONTANA 59601

THOMAS F. DOWLING

SENATE HIGHWAYS

EXHIBIT NO. 5

DATE 3-2-89

HB 231

PHONE 442-9000
AREA CODE 406

February 27, 1989

Honorable Senator Larry Tveit
Chairman
Senate Highways & Transportation Committee
Capitol Station
Helena, Montana 59620

Re: House Bill 231

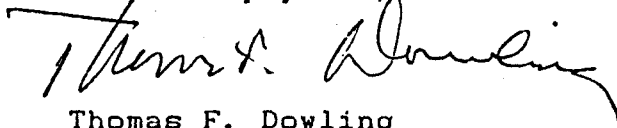
Dear Senator Tveit:

Please be advised that I represent the Motorcycle Safety Foundation of Arlington, Virginia. My association would like to go on record as supporting House Bill 231. I will be unable to attend the Committee Hearing as I have a previous Court scheduled appearance in Deer Lodge Thursday, March 2nd at 1:30 and it will be physically impossible for me to attend the Hearing. However, my Principal supported HB231 when heard in the House Judiciary Committee and should like to continue to offer its support of the Bill.

Attached, please find a copy of a Memorandum to the House Judiciary Committee from John W. English, Director of State Governmental Affairs of the Motorcycle Safety Foundation.

Their position is essentially the same and they support the Bill as it appears before your Committee.

Very truly yours,



Thomas F. Dowling

TFD:de
Attachment

cc: Kathy Van Kleeck

MOTORCYCLE SAFETY FOUNDATION



GOVERNMENT RELATIONS OFFICE
1235 JEFFERSON DAVIS HIGHWAY
SUITE 1410
ARLINGTON, VIRGINIA 22202
(703) 521-0444

TO: House Judiciary Committee
Montana Legislature

DATE: January 25, 1898

FROM: John W. English, Director *JWE*
State Government Affairs

SUBJECT: HB 231 - Motorcycle Safety

The purpose of this memo is to express the full support of the Motorcycle Safety Foundation for House Bill 231.

This bill would establish and fund a motorcycle safety training program administered by the superintendent of public instruction. It would make motorcycle safety training available throughout the state. The program would be funded by a fee charged to the students who take the training course, by a safety training fee charged with each motorcycle registration, and by other fees and assessments paid by the motorcycling community.

In adopting this legislation, Montana would join 30 other states which have established state administered motorcycle safety programs. Such programs have been shown to be very effective in reducing motorcycle accidents. An extensive study sponsored by the U.S. Department of Transportation in 1980 found that motorcyclists who participated in a rider education course were only half as likely to have an accident as those who had no instruction.

The Motorcycle Safety Foundation (MSF) can and will provide significant assistance to the state of Montana in developing and implementing a motorcycle safety program. MSF was organized in 1973 to promote the safe use of motorcycles on the nation's public streets and highway. In cooperation with the National Highway Traffic Safety Administration, state governments, and other safety organizations, MSF develops programs and materials to upgrade motorcycle operator education, and motorcycle testing and licensing procedures. MSF has developed numerous publications, research studies, and films on cycle safety, including the curriculum and materials for the most widely-utilized rider training courses. MSF is supported by five leading manufacturers of motorcycles: BMW, Honda, Kawasaki, Suzuki, and Yamaha.

We urge the Judiciary Committee to give favorable consideration to HB 231.



MOTORCYCLE SAFETY FOUNDATION

CYCLE SAFETY INFO

The information summarized on this chart includes only those provisions which are specified in state law. Many of the states listed have additional provisions relating to implementation of the rider education program which are specified in regulations or administrative rules.

National Resource Office
 P.O. Box 5044
 Costa Mesa, CA 92628-5044
 (714) 241-9922

STATE FUNDED MOTORCYCLE RIDER EDUCATION LEGISLATION

State	Source and Amount of Earmarked Fee	Estimated Annual Funding Generated	Stipulated Uses	Additional Provisions	Effective Date	Administering Agency
Arizona	Motorcycle registration — \$1.00	\$70,000	Motorcycle testing and education programs.	State may contract with public and private agencies to implement education program.	July 24, 1981	Department of Transportation - Motor Vehicle Division
California	Motorcycle registration — \$2.00	\$1.4 million	Motorcycle rider training programs, public awareness.	Advisory committee may be established. Beginning 1/1/88, course completion required for riders under 18 prior to licensing.	January 1, 1986	Department of California Highway Patrol
Connecticut	Motorcycle registration — \$2.00	\$122,000	Motorcycle rider education program.	10% insurance discount for graduates.	July 1, 1982	Department of Transportation
Delaware	Motorcycle registration — \$4.00; Initial motorcycle endorsement — \$2.00; Motorcycle endorsement renewal — \$5.00	\$85,000	Motorcycle rider education program.	Courses open to all state residents with driver's license or motorcycle permit. MSF MRC curricula or equivalent course. Written exam and road test waived upon course completion. Provides instructor requirements. Tuition may be charged. Course completion required for riders under 18 prior to licensing.	July 1, 1985	Department of Public Safety
Florida	Motorcycle registration - \$2.50	\$600,000	Motorcycle safety courses.	Department shall prescribe curricula and qualifications for instructor certification; these may be developed by MSF or other traffic safety groups. Courses to be conducted by community colleges or other approved organizations. Reasonable fee may be charged, which shall be refunded upon course completion. Course completion required for first-time license applicants.	October 1, 1987	Department of Highway Safety & Motor Vehicles
Georgia	Motorcycle registration -- \$3.00	\$254,000	Motorcycle operator safety training programs.	Motorcycle safety coordinator provided; instructor qualifications. Courses to be based on MSF Motorcycle RiderCourse or equivalent.	January 1, 1986	Department of Public Safety
Hawaii	Legislation, amended in 1987, provides that each insurer is assessed a fee of \$2/year on each motorcycle insured. All fees received shall be expended by the University of Hawaii community college employment training office for the operation of a driver education program for motorcycle operators. 15% insurance discount for successful completion of rider education courses. Course completion required for permit holders.					
Illinois	Motorcycle registration - \$4.00, \$2.00 for a half year	\$934,000	Cycle Rider Safety Training Courses	Courses offered through Regional Training Centers to valid driver's license holders who are at least 16. Mandatory for 16 and 17 year olds in order to operate 150cc or larger motorcycle. Registration fee refunded upon course completion.	January 1, 1982	Department of Transportation

State	Source and Amount of Earmarked Fee	Estimated Annual Funding Generated	Stipulated Uses	Additional Provisions	Effective Date	Administering Agency
Alabama	Motorcycle registration - \$2.00	\$271,000	Motorcycle operator safety education program, instructor training, public awareness, improving licensing system.	Coordinator, training specialist and 5-member advisory committee provided. Courses to be equal to or more stringent than MSF courses. Dept. may enter into contracts with regional training centers or other approved sites. Sites may charge tuition fee.	January 1, 1987	Department of Education
Ark	Motorcycle license - \$1.00/yr. of validity	\$260,000	Establishment of new motorcycle rider education courses and reimbursement of sponsors for costs of providing approved courses.	Course completion required for riders under 18 prior to licensing.	July 1, 1987	Department of Education
Kansas	Motorcycle license - \$1.00	\$210,000	Motorcycle safety courses.	Courses conducted by school districts. Instructors do not have to be certified teachers.	September 1, 1982	Department of Education
Louisiana	Motorcycle license - \$5.00	\$104,000	Motorcycle operator training campaigns to promote participation, motorcycle safety, and motorcycle awareness; lease/purchase of equipment & training materials.	Program shall be tuition free. Skill test waived upon successful completion. Program shall provide for instructor certification and training of law enforcement personnel in proper motorcycle operation.	July 6, 1987	Department of Education
Maine	Motorcycle registration - \$2.00	\$76,000	Motorcycle rider education program.	Prescribed program may be offered by public secondary schools, adult education programs, approved private schools or independently. Program to be 8 hours of instruction related to actual operation, emphasizing safety measures. Secretary to conduct instructor certification courses. Program completion required for riders under 21 prior to receiving learner's permit.	July 16, 1986	Secretary of State
Maryland	Motorcycle registration - \$5.00. All fees for new motorcycle licenses.	\$600,000	Motorcycle safety program, public awareness.	Any resident with motorcycle license or learner's permit eligible. Tuition fee may not exceed \$25. Project coordinator provided. Course reimbursement fee not to exceed \$50 for each eligible person.	July 1, 1983	Department of Transportation - Motor Vehicle Administration
Massachusetts	Motorcycle registration - \$2.00	\$190,000	Rider safety courses, instructor training, promotion, public awareness, licensing equipment.	Training specialist and 7 member advisory committee provided. Prescribes instructor qualifications. Annual report on programs and effectiveness to be filed. 10% insurance discount for graduates of training programs.	April 7, 1987	Highway Safety Bureau & Executive Office of Public Safety
Michigan	Motorcycle license - \$4.00 Motorcycle registration - \$3.00	\$750,000	Motorcycle safety courses.	Mandatory for riders under 18 prior to licensing. Course fee not to exceed \$25. State coordinator should be a chief instructor. Skills test waived upon course completion.	January 1, 1984	Department of Education
Minnesota	Motorcycle license - \$8.00 (initial) \$4.00 (renewal)	May not exceed \$300,000 (only half may be used for rider education).	Motorcycle safety education program, instructor training, safety promotion, public information.	Course completion required for riders under 18 prior to licensing.	July 1, 1982	Department of Public Safety
Nebraska	Motorcycle registration - \$1.50; Motorcycle-only license and permit \$2.50 (Legislative appropriation)	\$70,000	Motorcycle safety courses administration, motorcycle safety promotional materials.	Instructor preparation course developed. 10 member advisory committee created. Prescribes course requirements, chief instructor qualifications.	August 15, 1981	Department of Motor Vehicles
New Mexico	Motorcycle registration - \$2.00	\$85,000	Motorcycle training, driver awareness, alcohol & drug use rider education, purchase of equipment.	Course completion required for riders under 18 prior to licensing except students attending a NM public school not offering an approved course.	July 1, 1983	Department of Transportation - Motor Vehicle

State	Source and Amount of Earmarked Fee	Estimated Annual Funding Generated	Stipulated Uses	Additional Provisions	Effective Date	Administering Agency
North Dakota	Motorcycle registration — \$5.00	\$141,000	Motorcycle safety course (12 hours), public awareness.	Learner's permits issued to 14 or 15 year olds having completed course. Course completion required for riders under 16 prior to licensing.	January 1, 1980	Department of Public Instruction
Ohio	Motorcycle registration — \$4.00	\$1.2 million	Motorcycle safety and education program.	Courses must meet MSF course standards. Tuition fee of not more than \$25 may be charged. Provides for training specialist. Beginning 1/1/89, course completion required for riders under 18 prior to licensing.	March 11, 1987	Department of Public Safety
Oregon	Motorcycle license endorsement — \$2.00 License renewal \$3.00	\$150,000	Motorcycle safety program.	State Motorcycle Safety Program Administration provided.	October 15, 1983	Traffic Safety Commission
Pennsylvania	Motorcycle license (original, renewal, learner's permit/ replacement) — \$2.00	\$1 million	Motorcycle safety education program.	License exam waived for successful graduates. Instructor training provided.	July 1, 1984	Department of Transportation

Rhode Island Legislation which took effect January 1, 1979 provides for motorcycle rider education as follows: The Department of Education shall provide a minimum of 6 hours and maximum of 20 hours of classroom and/or on-the-road training for motorcycle operator's license applicants. Instruction is given by state board of regents certified teachers. Education program available to any eligible resident with motor vehicle operator's license. \$20 tuition fee. Course completion required prior to receiving motorcycle endorsement.

South Dakota	Motorcycle registration — \$1.50	\$54,000	Motorcycle safety courses and education.	None	July 1, 1982	Department of Public Safety
Tennessee	Motorcycle registration - \$2.00; motorcycle license and permit application - \$1.00	\$250,000	Motorcycle rider education program including instructor training, licensing improvement, alcohol & drug education, public awareness, rider improvement program for motorcyclists, technical assistance, program promotion; reimbursement of organizations with course sites.	Provides for program coordinator, training specialist(s), and 5 member advisory committee. Tuition may be charged. Prescribes instructor qualifications. 10% insurance discount for graduates. Skills test waived upon course completion.	July 1, 1988	Department of Safety
Texas	Motorcycle registration — \$75	\$187,000	Motorcycle operator training and safety program.	Coordinator and 7 member advisory committee provided. Fee may be charged for course. Course completion required for riders under 18 prior to licensing.	September 1, 1983	Department of Public Safety
Virginia	Motorcycle registration — \$3.00	\$237,000	Motorcycle rider safety training courses.	Regional Cycle Rider Safety Training Centers provided. DMV may enter into contracts with training centers.	May 1, 1985	Division of Motor Vehicles
Washington	Motorcycle license examination and license renewal — \$5.00	\$450,000	Motorcycle skills education course for both novice and advanced riders that is minimum of 8 hours and no more than 16 hours at a cost of no more than \$30.	All instructors must conduct at least 3 classes in a 1-year period to maintain teaching eligibility. Director may receive gifts, grants and endowments from private sources which shall be deposited in the motorcycle safety account. Five member advisory committee created. Course completion required for riders under 18 prior to licensing.	June 10, 1982	Department of Licensing
Wisconsin	Appropriation from Transportation Fund	FY 87 — \$152,500	Riding courses, public awareness, safety education, improved license testing.	Set up by vocational regions.	May 1, 1982	Department of Transportation — Office for Highway Safety

The Motorcycle Safety Foundation's purpose is improving the safety of motorcyclists on the nation's streets and highways. To reduce motorcycle accidents and injuries, the Foundation has programs in rider education, licensing improvement, public information and research. These programs are designed for both motorcyclists and motorists. For the beginning or experienced rider, training course nearest you, call the national toll-free telephone number (800) 447-4700. A national, non-profit organization, MSF is sponsored by five leading motorcycle manufacturers: Honda, Yamaha, Kawasaki, Suzuki and BMW.

SENATE HIGHWAYS
EXHIBIT NO. 6
DATE 3-2-89
BILL NO. HB 119

COST OF PERSONALIZED LICENSE PLATES

<u>STATE</u>	<u>INITIAL COST</u>	<u>ANNUAL RENEWAL</u>
Washington	\$30.00	\$20.00
Wyoming	30.00	30.00
Oregon	25.00	25.00
Utah	30.00	5.00
South Dakota	75.00	10.00
North Dakota	25.00	25.00
Nevada	25.00	15.00
Colorado	35.00	25.00
California	35.00	25.00
Arizona	25.00	10.00
Montana	20.00	5.00

