

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 1, 1998 Revised: _____

Subject: Motorcycle Safety Education

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Vickers</u>	<u>Johnson</u>	<u>TR</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>WM</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This CS amends several provisions relating to the Motorcycle Safety Education Program. The CS exempts the \$2.50 motorcycle safety education fee from the 7% General Revenue Fund service charge. The CS deletes the \$50 limit on reimbursement by the Department for each student who successfully completes the course and requires the Department to reimburse the course provider when the student begins the on-cycle portion of the course.

This bill substantially amends sections 215.22 and 322.0255 of the Florida Statutes.

II. Present Situation:

Florida Motorcycle Safety Education Program

Section 322.12(5), F.S., provides that every first-time applicant for licensure to operate a motorcycle who is under 21 years of age must complete a motorcycle safety course prior to being licensed to operate a motorcycle. All other riders may take the course on a voluntary basis. The Department of Highway Safety and Motor Vehicles is authorized to establish and administer the Florida Motorcycle Safety Education Program and motorcycle safety education courses pursuant to s. 322.0255, F.S. This authority includes the approval of course curriculum, the designation of certification requirements for program instructors, and approval of organizations who provide motorcycle safety education courses.

The program is funded from a \$2.50 motorcycle safety education fee that is assessed on motorcycles registered in Florida. This fee is deposited into the Highway Safety Operating Trust Fund and is used exclusively for the Motorcycle Safety Education Program. Pursuant to s. 215.20(1), F.S., 7 percent of this fee is deducted as a cost of general government and deposited

into the General Revenue Fund. During fiscal year 1996-97, the Department collected \$556,097 in motorcycle education fees, of which approximately \$35,496 was deposited into the General Revenue Fund.

Motorcycle safety courses are provided through contractors at the local level. Currently, there are 17 contractors serving 26 cities throughout Florida. Ten of the contractors are private concerns, while the remainder are community colleges and schools. Course instructors are experienced motorcycle operators who are nationally certified by the Motorcycle Safety Foundation. The course includes classroom instruction and at least eight hours of “on-cycle” training. Course tuition fees vary from \$50 to \$195 (excluding the reimbursement provided through the Department). The motorcycles used in the course are obtained through a variety of means, including grants and loans from manufacturers, dealers, and motorcycle enthusiasts. A statewide inventory of motorcycles used in the program indicates that a significant number of the motorcycles are owned by the Department.

Section 322.0255, F.S., provides that subject to the availability of funds, the Department is authorized to reimburse each organization that offers a motorcycle safety education course an amount not to exceed \$50 for each student who successfully *completes* the course. This same section stipulates that the reimbursement cannot exceed the expected cost per student. Course providers are required to submit proof satisfactory to the Department of the expected cost per student to be incurred. Revenues from the motorcycle safety education fee are used to cover the cost of reimbursement. In addition to the amount of any reimbursement, each course provider is authorized to charge each student a tuition fee sufficient to defray the cost of conducting the course.

Motorcycle Endorsement Fee

A Florida licensed motorcycle operator must possess a motorcycle endorsement to operate a motorcycle on public roads in the state. The endorsement indicates that the operator has successfully completed a separate written and driving skills test that is motorcycle related (ss. 322.12 and 322.57, F.S.). The Department charges \$5 for each motorcycle endorsement issued and revenues are deposited into the General Revenue Fund pursuant to s. 322.21, F.S.

III. Effect of Proposed Changes:

Section 1 amends s. 215.20(1), F.S., to exempt the \$2.50 motorcycle safety education fee from the 7 percent General Revenue Fund service charge. The amount exempted would be retained in the Highway Safety Operating Trust Fund and used to fund the Florida Motorcycle Safety Education program.

Section 2 amends s. 322.0255, F.S., to delete the requirement that the reimbursement fee be paid to the course provider upon successful completion of the course by the student. Instead, the reimbursement fee would be paid when a student begins the *on-cycle* portion of the course. The CS also deletes the \$50 per student cap on the reimbursement that is paid to the course provider.

Section 3 provides for an effective date of July 1 of the year in which enacted.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

The CS exempt the \$2.50 motorcycle safety education fee from the 7 percent General Revenue Fund service charge.

B. Private Sector Impact:

The elimination of the \$50 cap on reimbursements and making reimbursements contingent on starting the on-cycle portion of the course, instead of successful completion of the course, could result in additional revenues for course providers.

C. Government Sector Impact:

The Department estimates that exempting the \$2.50 motorcycle safety education fee from the 7 percent General Revenue Fund service charge would result in a revenue decrease to the General Revenue Fund of \$39,705 during fiscal year 1998-99. The CS would increase funding to the Highway Safety Operating Trust Fund by an identical amount.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Department indicates that since 1996 it has had to prioritize the allocation of the \$50 reimbursement. The Department has continued to provide the \$50 reimbursement for students

who are between the ages of 16 and 21 and are required to take the motorcycle safety course. The Department has provided a \$30 reimbursement for all other students.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
