

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

SENATE BILL 106

4
5 By: Senator Whitaker

For An Act To Be Entitled

9 AN ACT TO IMPROVE MOTORCYCLE SAFETY BY REQUIRING
10 TRAINING AND TESTING MATERIALS PREPARED BY THE
11 MOTORCYCLE SAFETY FOUNDATION TO BE USED IN THE
12 APPLICATION AND EXAMINATION FOR A MOTORCYCLE
13 LICENSE; TO REQUIRE DRIVER'S EDUCATION PROGRAMS
14 TO USE TRAINING MATERIALS PREPARED BY THE
15 MOTORCYCLE SAFETY FOUNDATION; TO REQUIRE DRIVER
16 TRAINING AND EXAMINATION TO INCLUDE SAFETY ISSUES
17 RELATED TO SHARING THE ROAD WITH MOTORCYCLES; AND
18 FOR OTHER PURPOSES.

Subtitle

21 TO IMPROVE MOTORCYCLE SAFETY BY
22 REQUIRING TRAINING AND TESTING MATERIALS
23 PREPARED BY THE MOTORCYCLE SAFETY
24 FOUNDATION.

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

29 SECTION 1. Arkansas Code § 27-18-108 is amended to read as follows:
30 27-18-108. Instruction manual.

31 (a) The driver's instruction manual of the Department of Arkansas
32 State Police issued to persons who are preparing to take a driver's license
33 examination shall include information on driver and highway safety matters,
34 including:

35 (1) The effects of the consumption of beverage alcohol products
36 and the use of illegal drugs, prescription drugs, and nonprescription drugs



1 on the ability of a person to operate a motor vehicle;

2 (2) The hazards of driving while under the influence of alcohol
3 or drugs;

4 (3) The penalties for driving while under the influence of of
5 alcohol or drugs;

6 (4) The effect and hazards of discarding litter upon or along
7 the public highways of Arkansas and the penalties for violations of the
8 Litter Control Act, § 8-6-401 et seq.; ~~and~~

9 (5) The effects and hazards of unsafe driving through highway
10 work zones and the penalties for violations for driving unsafely through
11 highway work zones; and

12 (6) The safety issues related to sharing the roadway with
13 motorcycles, to include materials prepared by the Motorcycle Safety
14 Foundation.

15 (b) The cost of including materials prepared by the Motorcycle Safety
16 Foundation shall be added to the cost of the application for a license.

17
18 SECTION 2. Arkansas Code § 27-20-108 is amended to read as follows:
19 27-20-108. Operator's examination.

20 (a) The Department of Arkansas State Police shall ~~prescribe an~~
21 ~~appropriate examination~~ use training and testing materials prepared by the
22 Motorcycle Safety Foundation and supplemented with specific state laws to be
23 ~~taken by~~ for a person who desires to obtain a motorcycle operator's license
24 as required by this subchapter.

25 (b) The examination for a person who desires to obtain a motorcycle
26 operator's license shall include:

27 (1) A written examination produced by the Motorcycle Safety
28 Foundation and supplemented with specific state laws that is designed to
29 determine the applicant's knowledge of traffic laws, ordinances, and
30 regulations and other matters necessary to determine the applicant's
31 knowledge of the operation of ~~these motor vehicles~~ motorcycles;

32 (2) A vision test under standards established in § 27-16-704 to
33 determine whether the applicant's eyesight is adequate to safely operate the
34 vehicle;

35 (3) An actual road test designed to determine the applicant's
36 familiarity with the controls of the ~~motor vehicle~~ motorcycle and the

1 applicant's ability to safely operate the ~~motor vehicle~~ motorcycle both in
2 and out of traffic. ~~However, the road test shall be waived for applicants who~~
3 ~~have successfully completed the Motorcycle Safety Foundation's motorcycle~~
4 ~~rider course, Riding and Street Skills, or any successor curriculum. In order~~
5 ~~to qualify for this waiver, the applicant must submit proof of the course~~
6 ~~completion dated within ninety (90) days prior to the date of license~~
7 ~~application; and~~

8 (4) Such other tests as the Department of Arkansas State Police
9 ~~may deem~~ considers necessary to assure safe operations on the streets and
10 highways of this state.

11 (c) The Department of Arkansas State Police may contract with the
12 Motorcycle Safety Foundation for training required under this section.
13

14 SECTION 3. Arkansas Code § 27-20-109(a), regarding motorcycle operator
15 instruction in public schools, is amended to read as follows:

16 (a) The Department of Education ~~is authorized to prescribe and offer a~~
17 ~~course in~~ shall use training and testing materials produced by the Motorcycle
18 Safety Foundation and supplemented with specific state laws in approved
19 courses for motorcycle and motor-driven cycle operator instruction ~~to be that~~
20 are conducted as a part of the driver education program.
21

22 SECTION 4. Arkansas Code § 27-16-706 is amended to read as follows:
23 27-16-706. Written test – Contents.

24 The driver's license test shall include written questions concerning:

25 (1) The effects of the consumption of alcoholic beverage
26 products and the use of illegal drugs, prescription drugs, and
27 nonprescription drugs on the ability of a person to operate a motor vehicle;

28 (2) The legal and financial consequences resulting from
29 violations of the state's laws prohibiting the operation of a motor vehicle
30 while under the influence of alcohol or drugs;

31 (3) Accessible parking for a person with a disability; ~~and~~

32 (4) Penalties for the unauthorized use of parking designated for
33 the exclusive use of a person with a disability; and

34 (5) The safety issues related to sharing the roadway with
35 motorcycles.
36