

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1769

5 By: Representative Carter  
6

## For An Act To Be Entitled

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

## Subtitle

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20  
21 TO IMPROVE MOTORCYCLE SAFETY BY REQUIRING  
22 TRAINING AND TESTING MATERIALS PREPARED  
23 BY THE MOTORCYCLE SAFETY FOUNDATION TO BE  
24 USED IN THE APPLICATION AND EXAMINATION  
25 FOR A MOTORCYCLE LICENSE.  
26

27  
28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
29

30 SECTION 1. Arkansas Code § 27-18-108 is amended to read as follows:  
31 27-18-108. Instruction manual.

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

36 (1) The effects of the consumption of beverage alcohol products



1 and the use of illegal drugs, prescription drugs, and nonprescription drugs  
 2 on the ability of a person to operate a motor vehicle;

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

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

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

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

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

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

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

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

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

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

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

36 (3) An actual road test designed to determine the applicant's

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

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

12 (c) The Department of Arkansas State Police may contract with the  
 13 Motorcycle Safety Foundation for training required under this section.  
 14

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

17 (a) The Department of Education ~~is authorized to prescribe and offer a~~  
 18 ~~course in~~ shall use training and testing materials produced by the Motorcycle  
 19 Safety Foundation and supplemented with specific state laws in approved  
 20 courses for motorcycle and motor-driven cycle operator instruction ~~to be that~~  
 21 are conducted as a part of the driver education program.  
 22

23 SECTION 4. Arkansas Code § 27-16-706 is amended to read as follows:  
 24 27-16-706. Written test – Contents.

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

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

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

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

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

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