

Date of Hearing: April 8, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 3102 (Hoover) – As Introduced February 16, 2024

SUBJECT: Vehicles: motorcycle license

SUMMARY: Authorizes a California Motorcyclist Safety Program (CMSP) to issue a certificate of satisfactory completion to a person at least 21 years of age who has opted to complete only the skills testing portion of the training program and has successfully passed the skill's test for the purposes of satisfying the Department of Motor Vehicles' (DMV) driving test for a class M1 or M2 driver's license (DL). Specifically, **this bill:**

- 1) Requires the CMSP to note on the certificate that the person has completed only the skills testing portion of the program.
- 2) Allows the DMV to accept the certificate the CMSP issues from the applicant who is at least 21 years of age in lieu of a driving test for a class M1 or M2 DL if the applicant has met other examination requirements for the license for which the applicant is applying.

EXISTING LAW:

- 1) Requires a class M1 license in order to operate a motorcycle. (Vehicle Code Section 12804.9)
- 2) Requires a class M2 or M1 license to operate a motorized bicycle or moped, or a bicycle with an attached motor that is not an electric bicycle. (VEH 12804.9)
- 3) Authorizes DMV to accept a certificate of satisfactory completion of a motorcyclist training program approved by the California Highway Patrol (CHP) in lieu of a driving test for applicants applying for a class M1 license. (VEH 12804.9)
- 4) Authorizes CHP to adopt standards for a novice motorcycle rider training course and a premier motorcyclist training program, as specified. (VEH 12804.9)
- 5) Requires a person under 21 years of age to show proof of completion of a CMSP motorcycle training program administered by CHP before receiving a motorcycle license. (VEH 12804.9)

FISCAL EFFECT: Unknown

COMMENTS: A valid motorcycle DL is required to operate a motorcycle in California. There are two motorcycle license classes:

- Class M1: Authorizes you to operate any two-wheeled motorcycle and all vehicles listed under class M2.
- Class M2: Authorizes you to operate a motorized bicycle, moped, or any bicycle with an attached motor.

Under existing law, to get a license, you may either complete a CHP approved CMSP training course or pass a motorcycle driving test at a DMV office. The CHP administers CMSP through a primary contractor. The program includes two courses: the Motorcyclist Training Course which is a basic course consisting of five hours of classroom instruction and 10 hours of actual riding that is mandatory for persons under the age of 21 and recommended for others seeking a motorcycle endorsement; and the optional Premier Program consists of 7.5 hours of classroom instruction and 13.5 hours of riding. When applying for a motorcycle license, an applicant may show proof of completion of the Motorcyclist Training Course to waive the driving test otherwise required of applicants.

According to the author, “One of the major challenges experienced by individuals when going to the DMV is extended wait-times and congestion. AB 3102 is a measure that will ease both appointments for individuals when visiting the DMV and staff hours by reducing demand. Additionally, with more available appointments, individuals can access DMV services more quickly that will effectively increase compliance. By permitting the DMV to accept a certificate of satisfactory completion to an individual that is 21 years or older who completes the skills testing portion of the Motorcyclist Training Program, California roads will be safer as those who wish to extend their motorcycle license will have a more streamlined process to do so.” Individuals over the age of 21 are currently not required to take a CMSP classroom training course in order to get a class M1 or M2 license and can instead go to DMV to take the driving examination. They may, however, opt to take a CMSP course and driving test in lieu of the DMV driving exam. Under this bill they would be authorized to bypass the CMSP class and simply pass the CMSP skills test.

ABATE of California, writing in support of this bill, argues “Passage of this bill will prevent motorcyclists illegally riding (shadow riders) without a License and give those that require license the opportunity to supplement DMV appointments. Also, riders who keep extending their permits due to not being able to schedule a DMV Field test will have option to take only the field portion of exam at a CHP approved CMSP Range, with testing quality control by the CHP which currently oversees over 80% of the M1's issued in our State yearly. Furthermore this will free up DMV Appointments and funding with more available appointments, individuals can access DMV services more quickly, reducing wait times and streamlining processes.

Committee Comments: According to the Legislative Analyst Office (LAO), The Motor Vehicle Account (MVA), the primary funding source for DMV, is expected to fully exhaust its reserves and become insolvent in 2025-26. The LAO recommends the Legislature should consider MVA cost pressures when evaluating new proposals. LAO argues that “Until a plan is put in place to address MVA’s structural deficit, we recommend the Legislature set a high bar for considering approval of any proposals that create additional MVA cost pressures and accelerate the risk of insolvency.”

In the short run, this bill would require DMV to promulgate regulations to implement this bill. In the longer run this bill may reduce DMV workload by providing an alternative place for motorcyclist to take the driving examination.

Previous Legislation: AB 1027 (Acosta) Chapter 204, Statutes of 2017 authorized DMV to accept a certificate of completion of an approved motorcyclist training program of any difficulty in lieu of a driving test and specifies that persons under 21 must complete a novice program.

AB 2125 (Fong) of 2022 was nearly identical to this bill except that bill established a pilot program for the authorization this bill has and required a report to the Legislature on the benefits of the program. That bill was held on suspense in Senate Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

ABATE of California
American Motorcyclist Association
Bay Area Riders Forum
California Motorcycle Dealers Association

Opposition

None on file

Analysis Prepared by: David Sforza / TRANS. / (916) 319-2093