

Date of Hearing: April 18, 2022

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 2125 (Fong) – As Amended April 7, 2022

SUBJECT: Driver’s licenses: motorcycle licensing pilot program

SUMMARY: Requires the Department of Motor Vehicles (DMV) to establish a two year pilot program to evaluate the use of Motorcycle Safety Program Service Providers (MSPSP) to administer the driving exam to obtain a class M1 license. Specifically, **this bill:**

- 1) Requires DMV to evaluate the rigor, standards, quality, efficiency, accessibility, and safety of using MSPSP and grant recipients to administer the exam.
- 2) Authorizes DMV to conduct oversight and inspect all participating testing sites.
- 3) Requires DMV to authorize a minimum of 25% of all MSPSPs and grant recipient sites to participate in the pilot.
- 4) Specifies that MSPSP shall not administer the knowledge, hearing or eyesight examination.
- 5) Requires DMV to remove a pilot participant from the program if it determines the participant is passing applicants without authorizing the test and requires the California Highway Patrol (CHP) to revoke them from the motorcycle safety program.
- 6) Requires DMV to write a report to the Legislature by February 1, 2024 evaluating the pilot program, as specified, and to make a recommendation as to whether or not the pilot program should be extended.

EXISTING LAW:

- 1) Requires a class M1 license in order to operate a motorcycle.
- 2) Authorizes DMV to accept a certificate of satisfactory completion of a motorcyclist training program approved by the CHP in lieu of a driving test for applicants applying for a M1 license.
- 3) Authorizes CHP to adopt standards for a novice motorcycle rider training course and a premier motorcyclist training program, as specified.
- 4) Requires a person under 21 years of age to show proof of completion of a Motorcyclist Safety Program (CMSP) administered by CHP before receiving a motorcycle license.

FISCAL EFFECT: Unknown

COMMENTS: Under existing law, the CHP administers CMSP, which consists of MSPSP. 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 consisting 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.

This bill would authorize DMV to conduct a pilot program authorizing MSPSP to offer the driving examination for an M1 license, allowing those seeking a M1 license to bypass taking the safety examination course if they want to avoid going to DMV to take the driver's test.

According to the author, "Road safety is critical to keep our communities safe. AB 2125 will provide an alternative pathway for motorcyclists to get their license to drive safely and legally. Fatalities and accidents have continued to decrease every year as motorcyclist safety program courses provide quality training and allow for faster licensure. This bill will keep riders, drivers, and pedestrians safe."

The pilot program authorized under this bill will last for two years. DMV will report to the Legislature after the first year of the program and include recommendations on whether the program should continue. DMV can revoke a pilot participant from both the pilot program and as a CMSP participant if they are found to be passing individuals without administering the examination.

The California Motorcycle Dealers Association, writing in support of this bill, argues, "This program, if successful, and we believe it will be, will serve to reduce the workload on DMV personnel who will no longer have to administer the field test that involves more department man hours than administering the written test, which will still have to take place at a DMV field office. This bill simply provides options that will supplement DMV office appointments, but adds even more qualitative training than a field test provides at a DMV office."

Committee comments: Getting an appointment with DMV for this examination is not difficult. The Committee attempted to make appointments at several DMV offices across the state to take the driving test for an M1 license and was able get appointments as soon as two days later. One office did not have an appointment available for three weeks, but a nearby office had appointments available within a week.

DMV will likely have to promulgate regulations to establish the pilot program which will increase DMV costs.

This bill would allow MSPSP will charge for this service, yet under currently law, it is free to the public from the DMV and appears to be relatively accessible.

The Motor Vehicle Account (MVA), the primary funding source for DMV, remains structurally imbalanced. Although the MVA is projected to have a positive fund balance through the next five fiscal years, in 2023-24, 2024-25, 2025-26, and 2027-27, expenditures are anticipated to outpace revenues, reducing the fund balance from \$693 million in 2022-23 to \$120 million in 2026-27. The structural imbalance remains even though all future DMV and CHP capital outlay costs are being shifted away from the MVA to the General Fund in an attempt to keep the fund solvent.

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.

REGISTERED SUPPORT / OPPOSITION:

Support

Abate of California, INC.
American Motorcyclist Association
Bay Area Riders Forum
California Association of Highway Patrolmen
CMDA-California Motorcycle Dealers Association
Liberty Mutual Insurance

Opposition

None on file

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