

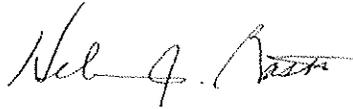
# MINNESOTA DEPARTMENT OF PUBLIC SAFETY

## Driver and Vehicle Services Division

### CERTIFICATE OF SENDING THE NOTICE AND THE STATEMENT OF NEED AND REASONABLENESS TO LEGISLATORS

**Proposed Rule Amendment Governing Motorcycle Road Guard Certificate Program;  
Minnesota Rules, Parts 7422.0100, 7422.0200, 7422.0300, 7422.0400, 7422.0500, 7422.0600,  
7422.0700, 7422.0800, 7422.0900, 7422.1000, 7422.1100, 7422.1200, 7422.1300.**

I certify that on October 24, 2013, when the Department mailed DUAL Notice of Intent to Adopt Rules under Minnesota Statutes, section 14.14 or 14.22, I sent a copy of the Notice and the Statement of Need and Reasonableness to certain Legislators by depositing them in the interoffice mail system of the State of Minnesota. I mailed these documents to comply with Minnesota Statutes, section 14.116. A copy of the cover letter and a list of Legislators are attached to this Certificate.



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Helen J. M. Bassett  
Legislation and Rules Coordinator

# MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Alcohol  
and Gambling  
Enforcement

Bureau of Criminal  
Apprehension

Driver  
and Vehicle  
Services

Emergency  
Communication  
Networks

Homeland  
Security and  
Emergency  
Management

Minnesota  
State Patrol

Office of  
Communications

Office of  
Justice Programs

Office of  
Pipeline Safety

Office of  
Traffic Safety

State Fire  
Marshal

**DPS**  
Driver &  
Vehicle Services

## Driver and Vehicle Services

445 Minnesota Street • Saint Paul, Minnesota 55101-5195  
Phone: 651.296.6911 • Fax: 651.797.1120 • TTY: 651.282.6555  
<http://dvs.dps.mn.gov>

October 22, 2013

Senator Scott Dibble, Chair  
Transportation and Public Safety Committee  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
State Office Building, Room 115  
St. Paul, MN 55155

Re: In The Matter of the Proposed Rules of the Department of Public Safety  
Governing the Motorcycle Road Guard Certification and Qualification  
Requirements; Revisor's ID Number R-04088

Dear Senator Dibble:

Chapter 171 of Minnesota Statutes, provides the Commissioner of the Minnesota Department of Public Safety (DPS), through its Driver and Vehicle Services Division (DVS), authority to regulate the licensure and driving privilege of individuals who operate vehicles, including motorcycles, on Minnesota roads. In this rulemaking proceeding, DPS proposes to promulgate a new rule chapter governing the administrative, safety and equipment, and program curriculum requirements and certification qualifications for the Motorcycle Road Guard Program (MRGP).

Minnesota Statutes, section 171.60, subdivision 5, 3, sections 27 and 43, authorize the Commissioner of Public Safety to adopt rules to govern the Motorcycle Road Guard Program, as provided by including the certification and qualifications requirement proposed in a new chapter.<sup>1</sup>

Motorcycle crash data for 2012, compiled by DPS, shows a 31% increase in motorcycle fatalities over 2011.<sup>2</sup> Public safety issues rise as the number of fatalities and motorcyclist's increases. DPS reported "over 230,000 registered motorcycles and more than 400,000 licensed operators."<sup>3</sup> Alcohol use, accident severity, helmet use and operator training are all critical factors in examining issues and trends related to motorcycle driver and passenger safety. In Minnesota, there were 55 motorcycle-related deaths reported during 2012.

<sup>1</sup> Laws, 2012, chapter 287, article 3, sections 27, and 43.

<sup>2</sup> Minnesota Department of Public Safety, Office of Traffic Safety. (2012). *2012 Minnesota Motor Vehicle Crash Facts*. Produced by Minnesota Department of Public Safety. St. Paul, MN

<sup>3</sup> Minnesota Department of Public Safety. News release. (September, 20, 2012) *Motorcycle Deaths Continue to Spike in 2012*. Retrieved August 14, 2013.

<https://dps.mn.gov/divisions/ooc/news-releases/Pages/Motorcyclist-Deaths-Continue-to-Spike-in-2012.aspx>.

The Office of Traffic Safety (OTS) Division of DPS works to reduce the number of deaths and serious injuries caused by traffic accidents. OTS administers federal and state funding to support programs that “encourage responsible driving behavior, enforce traffic laws, and [to] inform and educate the public.”

The Minnesota Motorcycle Safety Program is part of the OTS division and is authorized to operate the Minnesota Motorcycle Safety Center (MMSC). The MMSC works to prevent motorcycle crashes, fatalities and injuries by providing high-quality rider education, training and licensing.

Ensuring the safety of Minnesota motorcyclists, including those riders and their passengers who engage in group ride activities, for sport, charity, and recreational purposes will be greatly enhanced through the development of training curriculum for motorcycle road guard instructors, and certificate holders. Classroom and on-cycle training is supplemented by the media events, informational materials, rider course promotion, and outreach. The curriculum for the Motorcycle Road Guard Certificate Program will follow the outline proposed in Chapter 7422. Minnesota Statutes, section 14.116, states:

**“14.116 NOTICE TO LEGISLATURE.**

When an agency mails notice of intent to adopt rules under section 14.14 or 14.22, the agency must send a copy of the same notice and a copy of the statement of need and reasonableness to the chairs and ranking minority party members of the legislative policy and budget committees with jurisdiction over the subject matter of the proposed rules and to the Legislative Coordinating Commission.

In addition, if the mailing of the notice is within two years of the effective date of the law granting the agency authority to adopt the proposed rules, the agency shall make reasonable efforts to send a copy of the notice and the statement to all sitting legislators who were chief house and senate authors of the bill granting the rulemaking authority.

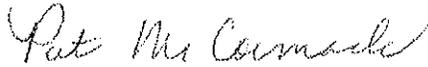
If the bill was amended to include this rulemaking authority, the agency shall make reasonable efforts to send the notice and the statement to the chief house and senate authors of the amendment granting rulemaking authority, rather than to the chief authors of the bill.”

Senator Dibble  
October 22, 2013  
Page 3 of 3

The Department of Public Safety Driver and Vehicle Services plans to publish a Notice of Intent to Adopt Rules in the November 4, 2013 *State Register* and are now mailing the Notice under section 14.14 or 14.22. As required by section 14.116, the Department is sending you a copy of the notice and the Statement of Need and Reasonableness. For your information, I am also enclosing a copy of the proposed rules.

If you have any questions about these rules, please contact me at (651) 201-7580.

Yours very truly,



Patricia McCormack, Director

Enclosures: DUAL Notice of Intent to Adopt Rules  
Statement of Need and Reasonableness  
Proposed Rules for Motorcycle Road Guard Certification and  
Qualification Requirements

**List of Legislators Receiving Notice for the Motorcycle Road Guard Program**

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7422.0700, 7422.0800, 7422.0900, 7422.1000, 7422.1100, 7422.1200, 7422.1300.**

- Senator Scott Dibble  
Transportation and Public Safety Committee
- Senator John C. Pederson  
Transportation and Public Safety Committee
- Senator Ron Latz  
Judiciary Committee
- Senator Warren Limmer  
Judiciary Committee
- Senator Richard Cohen  
Senate Finance Committee
- Senator Michelle Fischbach  
Senate Finance Committee
- Representative Michael Paymar  
Public Safety Finance and Public Policy Committee
- Representative Tony Cornish  
Public Safety Finance and Public Policy Committee
- Representative Frank Hornstein  
Transportation Finance Committee
- Representative Michael Beard  
House Transportation Finance Committee
- Representative Ron Erhardt  
Transportation Policy Committee
- Representative Linda Runbeck  
Transportation Policy Committee
- Representative Lyndon Carlson, exofficio  
Transportation Policy Committee

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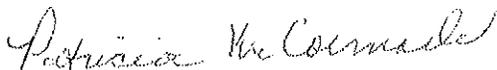
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