Tribute To The Troops of Minnesota Background

Documents submitted to the Office of Administrative Hearings
By: Jim Woodruff regarding OAH 8-2400-22867 – RD 4088

Hello,

Attached are several documents associated with the proposed Minnesota Road Guard Rules. Included are a background on our organization, comments on the proposed rules and details on the ride briefings given to both road guards and general riders prior to each TTTT-MN ride.

Please feel free to contact me if you would have any questions or concerns regarding this matter.

Thank you.

Tribute To The Troops of Minnesota was established in 2004 in an effort to recognize the families of our fallen MN military since 9/11. We are an all-volunteer organization that has no paid employees. Each year, now several times per year, riders travel by motorcycle to the homes of a family that has lost a loved one while on active military duty and convey our message that they and their loved one will not be forgotten.

TTTT-MN is part of Tribute To The Troops, a national 501c3 non-profit organization that began in Minnesota. All of the funds raised by TTTT-MN stay in the state.

We have established the Fallen Heroes Children’s Education Fund to assist children of fallen MN military with the cost of their post-secondary education. To date we have raised in excess of $300,000.00 for this purpose. When the child of a fallen MN hero is identified, a 529 account is established in his/her name and managed through the Minnesota College Savings Plan. The account is turned over to the child after their 18th birthday for use toward their post-secondary education.
Tribute To The Troops of Minnesota employs the rules and techniques of the Motorcycle Safety Foundation (MSF) and Harley Owners Group (H.O.G.)

Tribute To The Troops of Minnesota uses safety vested Road Guards on each ride. Additionally, TTTT-MN solicits assistance from local and county law enforcement agencies whenever possible. TTTT-MN informs each LE department of the impending ride through their jurisdiction.

Tribute To The Troops of Minnesota is proud of its 10 year safety record of no accidents or injuries.

TTTT-MN has been told on several occasions by law enforcement that if all rides were conducted like ours, they would be much safer. It’s something we are extremely proud of.

**Minnesota Motorcycle Road Guard Rules Items**

As stated in the hearing on December 18, 2013 there are several points that need attention before this is signed into law.

**First, the Insurance clause 7422.0200-Subart 3.A**

Requires “sponsorship by an entity that has liability insurance in force for all participants and organizers of the group ride.”

Per the MN DPS Motorcycle and Motorized Bicycle Manual

“All motorcycles registered in Minnesota must have liability insurance coverage for property damage or injury to another party.”

Our organization, Tribute To The Troops of Minnesota, has insurance that covers the Board of Directors, Officers and Road Guards. This policy, through Quality Insurance of St. Paul, costs us $1,750.00 annually. Our agent Mike Maranda, who did speak at the hearing on 12/18, contacted our insurer and was told they would not write a policy to cover all participants. He then contacted several other large insurers and was told the same. No company will take on that level of risk.

All riders are required to sign a waiver of liability against TTTT-MN and are further stating they have current and valid motorcycle insurance. Any rider or passenger that does not sign the waiver is not allowed to participate in the ride.

*Posted by Driver and Vehicle Services Division*

*As required by the OAH 1-6-2014*
If this requirement is mandated, charities such as ours will cease to exist due to the lack of insurance availability.

To date, TTTT-MN has raised in excess of $300,000.00 for children of fallen Minnesota soldiers through our efforts and motorcycle rides.

**Flagging Equipment: 7422.1100 Subpart 1**

Traffic control for a motorcycle ride is very different from traffic control at a construction site. The equipment used at construction sites has been designed for just that purpose.

The idea of a road guarded ride is to get the motorcycles through intersections as quickly and as safely as possible with as little disruption to normal traffic flow as possible. The 18x18 Slow/Stop paddle is unusable for several reasons.

A. It is too large to carry safely on a motorcycle. Many bikes do not have luggage or saddlebags. Even “bagger” style motorcycles with saddlebags and other luggage carrying ability have no place to carry a sign that large. The fact that it can be broken down does not improve its usability. If it is able to be placed in a saddlebag, most likely the road guard will not have time to get to his/her appointed intersection, stop the bike, retrieve the sign, assemble it and hold traffic before the ride has arrived at the intersection.

B. Additionally, the back side of the sign says SLOW. In these days of distracted driving, I submit it is sending a mixed message to a motorist that may see a slow sign ahead of him/her even if there is another road guard displaying a stop sign. This piece of equipment works well at a construction site where a flagger holds and releases traffic all day in a fixed position, but it will not work for a motorcycle.

Safety Vest and Pants

The safety vest should be mandatory on each rider on a Road Guard motorcycle, regardless if they are a rider or passenger on the bike. TTTT requires each individual on a Road Guard bike to wear a safety vest.

Pants are another issue. Granted the rule is calling for pants only in inclement weather, but the fact is all the safety pants we have seen are not heat resistant. When the pant comes in contact with the exhaust pipe or engine on a motorcycle, they will melt. Motorcycle rain gear is designed to resist the heat of these components, but is not ANSI II approved so it would put the riders in violation of the rule.

One item that would be helpful is Glow Gloves, items that many police and law enforcement agencies use on motorcycles. They are available at numerous locations and also from a website...

*Posted by Driver and Vehicle Services Division
As required by the OAH 1-6-2014*
for Road Guardians and Accident Scene Management. This was brought up by Mr. Chris Hawver at the hearing on 12/18.

**Alcohol and Controlled Substances 7422.0600**

We applaud the inclusion of this section. It should be non-negotiable that any road guard be allowed to consume alcohol or use a controlled substance while acting as a road guard for a motorcycle ride. TTTT-MN absolutely stands by this section. We have a no-tolerance policy on alcohol and controlled substances (see TTTT Ride Briefing). All riders are briefed before a ride departs that this is the case and anyone observed using such will be asked to leave the ride. Additionally, any road guard observed in this manner will not be allowed to road guard for TTTT in the future.

**Training Frequency and Renewal 7422.0700**

We are all for training. That said, we feel that a renewal every two years is too excessive. A four year renewal period, similar to MN Drivers License renewal would be sufficient. While the cost of the training is yet to be determined, it may deter some participants from renewing the road guard certificate if it is required to be done every two years.

**Curriculum 7422.1200 Subpart 1.C.5**

“Information on how to prepare a motorcycle group ride route.”

The road guard does not prepare or plan a ride route. It is up to the Ride Captain or Road Captain, depending on your terminology, to determine the ride route. The Ride Captain lays out, plans and pre-rides the route many times before the ride actually takes place. The road guards simply follow the Ride Captain and take direction from him/her once the ride is underway. The road guard’s responsibility is to manage intersections and traffic once deployed by the Ride Captain. While this information can be helpful for future activities, it should not be required for the road guard, since it is outside the scope of their responsibilities.
Tribute To The Troops of Minnesota

Road Guard Pre-Ride Briefing

➢ Keep it safe for everyone.
   - It is the responsibility of the Road Guards to keep the ride safe for all the riders including yourselves. Do not take unnecessary chances and be aware at all times.

➢ Don’t cross over lanes; stay on the right or the left.
   - We are riding staggered, which means no one should be side by side. When the Ride Captain calls for road guards on the right or left, the Road Guards on the right go to the right, and the Road Guards on the left go to the left. Do not cross in front of each other.

➢ Wait for the green light; do not go against a red light.
   - Do not attempt to stop traffic against a green light. When the ride approaches an intersection and the Road Guards are deployed by the Ride Captain, if the light is red as you approach, do not enter the intersection. Wait until the light is green, then proceed into and secure the intersection. The ride will stop and not proceed into the intersection until it is secure.

➢ Do not pass a Law Enforcement Vehicle if present
   - If there is law enforcement presence and support, let the LE vehicle enter the intersection and secure it ahead of the Road Guards. Do not pass a LE vehicle before it has entered the intersection and secured it. Once the LE vehicle has established its presence, then deploy as directed by the Ride Captain and support the LE officer(s).

➢ Hand Signals that will be used
   - The Ride Captain will give hand signals to direct the Road Guards and the general riders. The Ride Captain will be using Glow Gloves for better visibility of his/her signals to you. Watch for the Ride Captain’s signals to determine where to deploy. (At this point the Ride Captain will demonstrate the signals. They include directions for the Road Guards, single file, double file stagger, right turn, left turn, slow, stop and debris in the road).

➢ Make yourself visible
   - Each individual on a Road Guard motorcycle will be issued a high visibility vest. Each rider and passenger must wear these vests. When managing an intersection, get off the bike whenever possible to make yourselves more visible. It is also an opportunity to distribute the information cards, letting the motorists know the reason for the delay. Each vest is numbered and checked out in your

Posted by Driver and Vehicle Services Division
As required by the OAH 1-6-2014
name. You are responsible to return the vest at the end of the ride. If you do not return the vest, you will be responsible for its replacement cost of $35.00 each.

- **If a car is not stopping, get out of the way.**
  - Your safety is of utmost importance. If you see a vehicle not stopping, by all means get out of the way. Do all you can to get their attention, but do not take unnecessary risks.

- **Hand signals that are acceptable to use**
  - We will see spectators along the routes we take. By all means wave, smile, and give thumbs up to anyone you see. Do not under any circumstances use any derogatory hand signals to anyone. We represent Tribute To The Troops and the Honor, Dignity and Respect that goes along with that name.

- **Do not guard on ramps**
  - We avoid freeways when at all possible. When it is not, we will not deploy Road Guards at on ramps. Traffic will be allowed to merge into our formation and merge out again.

- **Pass only on the left at a safe speed**
  - When passing the formation, pass only on the left when it is safe to do so. Do not pass on the right hand side unless there is a traffic lane there. Do not pass on a road shoulder. Riders are not expecting anyone to pass them on a shoulder. The ride back to the front of the formation is not a race. The ride will be proceeding at a minimum of 10 mph under the speed limit. There is no need to speed recklessly. There are plenty of Road Guards in the formation. In the event the Road Guards are completely used up, the ride will stop to allow the Road Guards to return to the front of the formation.

- **Point Rider**
  - The point rider will be the first bike behind the Road Guards. He/she will be wearing a special high visibility vest. When returning to the front of the formation, the point rider will allow room to merge in front of him/her so you are able to rejoin the Road Guards. Pull in at the rear of the Road Guards and in front of the point rider. The point rider and passenger will be watching for returning Road Guards.

- **Point out debris in the road and use hand signals**
  - Point out debris in the road with your left hand or right foot. Use hand signals to notify the riders behind you of your intent to pass, turn etc.

- **Tail Rider and support vehicles**
  - There will be a tail rider (identify) at the tail end of the motorcycles. When you see the tail rider, it’s your indication that all the motorcycles have made it to your location. There will be one or more support vehicles (identify) at the rear of...
the formation behind the tail rider. Keep the intersection secure until the support vehicles have cleared the intersection. If the support trailer is not visible, it has most likely stopped to aid a stalled motorcycle. You may release the intersection if the support truck and trailer are not visible.

➢ **Ride with your emergency flashers on**
  o Keep your four way flashers on if possible. It will make you more visible to other riders and motorists.

➢ **Identify Road Guard Supervisors**
  o Road Guard supervisors are available to answer any questions you may have if it is not possible or convenient to talk to the Ride Captain. Road Guard Supervisors are the next in line to assume leadership in the event the Ride Captain is unable to continue the ride.

➢ **Make the Ride Captain aware of any safety issues at stops.**
  o If you observe unsafe riders or careless riding, make the Ride Captain aware of any concerns at the next stop. Remember to treat all riders with respect. It will be up to the Ride Captain and Road Guard supervisors to handle these incidents.

➢ **Alcohol**
  o Tribute To The Troops has a zero tolerance policy on alcohol during our rides. If you observe a rider using alcohol, please notify the Ride Captain. That rider will be asked to leave the ride. This policy is for all riders including Road Guards.
Tribute To The Troops of Minnesota

General Rider Pre-Ride Briefing

- **Pledge of Allegiance**
- **Welcome and thank the riders for joining us**
- **Safety is our highest priority for everyone on the ride**
- **Acknowledge any first time riders, VIP’s or Families of Fallen Heroes riding with us**
  - Make sure these riders and any first time riders are made welcome and have a positive experience with us.
- **Hand Signals**
  - Demonstrate hand signals and ask all to use them in addition to electronic signals. Right turn, left turn, slow, stop, debris, single file, stagger etc.
  - By all means wave, give thumbs up etc. to anyone we pass. Do not, under any circumstances, make any derogatory gestures to anyone. We represent Tribute To The Troops and the Honor, Dignity and Respect of our fallen heroes and their families.
- **Stagger Formation**
  - We will be riding in a staggered formation (demonstrate). Do not ride side by side. You should have a two second gap between you and the bike directly in front of you. No more and no less. Do not cross over to the other side to fill gaps. Gaps should be filled from behind.
- **Speed**
  - We will ride at 10mph below the speed limit for the safety of all the riders and Road Guards.
- **Road Guards**
  - Road Guards are here to keep you all safe. They put themselves in harm’s way for the safety of all of you. Please watch for them at intersections and passing back to the front of the formation. Road Guards will be wearing high visibility vests and running with four way flashers on for safety. Road Guards will manage intersections to keep riders together. Road Guards will pass only on the left unless there is a traffic lane on the right and only when it is safe to do so.
- **Merging traffic**
  - We will avoid freeways whenever possible. However, if we are riding on a freeway, Road Guards will not manage on ramps. Allow cars to merge into our formation. They will not stay there, we are riding slower, and they will merge out at the first opportunity. Do not change lanes and go around cars in the formation, you may be out of position for an upcoming lane change or turn.

*Posted by Driver and Vehicle Services Division
As required by the OAH 1-6-2014*
➢ **Law Enforcement**
  o Law enforcement agencies along the route have been contacted. They will assist us if the can. Please give them a wave or a toot of the horn in appreciation for their assistance.

➢ **Breakdown or Accident**
  o If someone has a mechanical issue or accident, only one or two at the most should pull to the side to assist. Signal the support trailer (identify) if you need assistance and they will stop. If you do not need help, wave them on. You are free to call AAA or anyone else on your own. If you do require assistance from the support trailer, you are responsible for tying down your own bike.

➢ **Lost Gear**
  o If you should lose something on the ride such as a glove, head wrap etc. don’t try to turn around and retrieve it. It is lost. Stopping or turning abruptly will most likely cause a crash behind you.

➢ **Gas**
  o Get gasoline at stops, no matter if you think you need it or not. The support trailer does not carry fuel.

➢ **Alcohol or Controlled Substance**
  o Tribute To The Troops has a zero tolerance policy on alcohol or controlled substance use during our rides. If you are observed drinking alcohol or using a controlled substance, you will be asked to leave the ride. This applies to Road Guards as well as the general riders.

➢ **Family Visit**
  o When we reach the family, please park your bikes and stay back until TTTT leadership has reached the front. We will have a presentation to make to the family. When leadership approaches, fill in behind them and gather around. You will be afforded time to greet the family individually. During the visit, please take any debris with you. If you smoke, please do it at a distance from the family and pick up you cigarette butts and take them with you. The only thing we want to leave behind is the gifts we bring and hopefully the good feelings we’ve generated.

➢ **Leaving the Ride**
  o Please do not leave the family visit early. These families have given the greatest sacrifice possible and we can certainly give them an hour of our time. If you must leave before the ride ends, let someone know and leave before we get to the next family visit. If you have an emergency and must leave during the visit, please do it as quietly and discreetly as possible.
❖ Colors and Patches
  o No “colors” are allowed on the TTTT rides. Please take them off, or turn your vest inside out. Also, if you have a patch that may be offensive to some, please cover it with a piece of tape until the ride is over.

❖ End of the Ride
  o The ride will end at a dispersal point pre-chosen by the Ride Captain near a main highway or landmark. When the ride ends, there will be a debriefing by the Ride Captain. At that point, you are on your own, and there will be no more Road Guards or law enforcement assistance at intersections. Be safe.