

Additional Comments submitted Regarding Motorcycle Road Guard

Submitted to Office of Administrative Hearings

January 21, 2014

From: Jim Woodruff <jim.woodruff3@gmail.com> Sunday, January 19, 2014 9:13 PM *
To: OAH_RuleComments.OAH OAH#8-2400-22867, Revisor #RD 4088
MN Motorcycle Proposed Road Guard Rules Additional Comments

Judge Lipman, Attached are additional comments to follow up on the first comment period. By my calculations, the cutoff for these comments would be 1/21/14, five working days after the initial cutoff for public comments of 1/14/14. As always, please do not hesitate to contact me for any reason.

Best regards,

Jim Woodruff
Chairman, Minnesota Chapter
National Board of Directors Tribute To The Troops
www.tributetothetroops.org
612-812-1611

"The cost of freedom is buried in the ground."

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MN Motorcycle Proposed Road Guard Rules-Additional Comments

Ladies and Gentlemen,

First let me say thank you for allowing the interested public to comment on the procedure and proposed rules to this point.

As for the changes made to this point;

We are pleased to find the requirement for liability insurance has been clarified to include only the Motorcycle Road Guards and not each individual rider.

The \$30.00 estimated fee seems to be a reasonable cost. A question would be will the renewal fee be \$30.00 also.

The four year renewal period also seems more reasonable than the previous proposed two year renewal period.

We applaud the clarification on the alcohol and controlled substance issues.

With regard to flagging equipment;

We agree with the removal of the pants requirement. The required vest, we feel, is sufficient.

The slow/stop paddle is still, we feel, unusable in its present definition.

An 18"x18" stop sign is not practical to use on a motorcycle, collapsible or not. The idea that a road guard will have the time to get to the intersection, dismount, assemble the stop sign, control the intersection, then once the ride has passed, disassemble the sign, pack it away, re-mount the motorcycle and stay with the ride is just not possible. The road guard will be left behind the ride. This will result in either road guards not participating in rides (who wants to go only to get left out), or the road guards taking dangerous chances to catch the ride once it has passed.

A non-collapsible sign is too large to be carried on a motorcycle, regardless of the design of the motorcycle.

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Additionally, in document 3 submitted by William Shaffer, indicates the cost of the stop sign at \$74.00 each. In the case of our organization, where we typically use up to 30 road guards per ride, the cost for enough of these signs would be \$2,220.00. It would be a significant fiscal hardship for our organization and I would suspect that most organizations that employ road guards would experience a similar financial hardship to purchase these.

In the documents submitted, the term flagger is used extensively. In the context of these rules, it seems the idea is that the motorcycle road guard is doing the same function as a construction site flagger. The only similarity we can see is they will have the ability to stop traffic. Work zones are repeatedly referenced as well as school crossings. Neither of these situations, we feel, is at all similar to the motorcycle road guard. The work zone flagger and school crossing guard are in stationary positions and are not required to be at all mobile.

Road guards should be controlling stopped traffic only, removing in our opinion, the necessity of the 18" stop sign. If the road guards are holding only stopped traffic, please consider removal of this requirement. An option could be a smaller hand held stop sign, similar to what the MN DNR uses on snowmobile and ATV trails. These signs are reflective, have white letters and a white border on a red background. They would also be much more user friendly to the road guard, stowable in a saddle bag, jacket or vest and much more readily available for use at an intersection. They would be much more affordable for an organization to purchase, costing somewhere between \$12 and \$21 each. A handle could be attached to the back of the sign to allow easy use by the road guard.

We strongly encourage another look at the stop sign requirement as we feel it is non-workable as the requirement is currently written.

Submitted respectfully on behalf of Tribute To The Troops of Minnesota.

Jim Woodruff

Chairman