

Robert L. Leslie  
1092 Magnolia Ave. E.  
St. Paul, MN 55106

## Motorcycle Road Guard Certification

RE: Motorcycle Road Guard Certification

OAH Docket # **8-2400-22867**, Revision RD# **4088**

Road Guard certificate comments to follow. Please except my comments on this subject matter as urgent.

Revisor # AR4088 Dated: 11-4-2013

### **7422-0100**

1. Pg.1 line 1.12 **Daytime**. Some rides may end in hours of darkness, depending on length of ride. Most are planned for daytime hours, but depending on time of year could go into night.

2. Pg 2 line 2.8, **Qualified prior impaired driving incident**. Because somebody had an incident in the past, that would make them ineligible for this certificate program. But they have a valid driver license and have already served there punishment. Is this not double jeopardy and punishing them twice. Maybe they are an excellent rider and have changed their ways.

3. Pg 2 line 2.22, **ANSI/ISEA 107-2004 standard**. This is not a road construction site, this is an organized motorcycle group ride, and it is for moving motorcycles cautiously through intersections at an expedient and safe pace. The stop sign is to large for carrying on a motorcycle. Reflective pants will cause overheating of the rider in extreme hot weather when most rides are conducted from May until Oct. They will also melt on the exhaust pipes. Reflective vest are already being used.

### **7422-0200**

4. Pg 3, line 3.19, **Restrictions**. Some charity group fund raiser rides might not have 20 riders on them, but are still for the purpose of a charity. Please do not put a number on this, and take away from the possibility of stopping a ride from happening. I am on my

(continued)

fourth year of raising money for research for a disease (CADASIL) that affects two people in my family, and many more around the United States. I am the only one in MN that is doing this event and sometimes there are not 20 riders on the ride.

5. Pg. 3, line 3.22 **Liability Insurance**. Having to take a insurance policies on the rides, takes away money from the charity that it is raised for. Some rides do not raise that much money to allow for this. Each motorcycle rider already has insurance on them and their passenger, or they do not participate in the event. Most rides have waiver forms that the participant signs before going on the ride. This sounds like the insurance industry is trying to get money for these events. Most of these organizations that do these rides are 501c3 tax exempt. I would hope that this is not the case.

6. Pg 4, line 4.3 repeated *daytime hours* as stated above. Item #1.

7. Pg.4, line 4.8 **Requirement to produce proof of liability Insurance**. Each road guard has to carry a copy of the policy. Why not just the Road Captain for the ride having all the proper documents for this event with him and if needed he will present them. The Road Captain does all of the preparation for the ride anyways in most cases.

8. Pg. 4, line 4.14, **Suspending certificate for not carrying policy on them**. Again this would be covered if the Road Captain has all the documents with him/her. Are we just looking for a reason to take away their certificate or have a safe ride. Again why do we need insurance policy.

#### **7422-0300**

9. Pg. 6 line 6.1, **Hearing**. If a person has a driver license with the motorcycle endorsement on it, They are already legal to ride, and they should not have to meet any other hearing specifications to be a certified road guard.

10. Pg 6 line 6.12, **Annual driving records check**. This should be done during their certification and recertification process and this is not a CDL. Are we trying to find ways to not have Certified Road Guards. It sounds like some of these rules are being put on here to prevent this program from happening, or to fail. It was my belief that it was to reduce the strain on local law enforcement and sheriff departments from having to stop the traffic for us.

#### 7422-0500

11. Pg. 7 line 7.9, **Issuance**, Two years, why not four years, and have it be an endorsement next to the motorcycle endorsement on your driver license. Then renew it when you renew your DL. Some rides are only once a year, and it would become very expensive for people to keep renewing their certificate. This could be detrimental to the fundraising for a lot of charities.

#### 7422-0600

12. Pg. 8 line 8.7 & 8.8, **Use of alcohol or controlled substances**. There are already laws covering these, and there is nothing stating how long before or after the event is happening.

#### 7422-1000

13. Pg. 11 line 11.1. **Restrictions**. The *stop sign* would be a hazard to the driver from being cumbersome and bulky, also from high winds could cause serious handling problems. Why not create a stop sign paddle type like a ping pong paddle. Maybe make them 12" across, and octagon, with 4" reflective letters on one side only.

14. Pg. 11 line 11.3 **Passenger age limit**. Here is the problem with this. For an example my 16 year old daughter has been a passenger on my motorcycle for thousands of miles since she was 14 years old, and so she is not able to take a test to become a certified road guard and ride on the back of my bike. Then there is the law that says that at age 16 with parent or guardian approval and signature, and completion of drivers license course, and having taken a Motorcycle riders safety course. You would be a licensed motorcycle rider. Would that not qualify this person to train and test to be a certified road guard?

#### 7422-1100

15. Pg. 11 line 11.11 **Flagging equipment**. The stop sign should not have anything on back that would confuse traffic from the other direction. That would put the road guard in danger of the other traffic, thinking that they could proceed. It should be blank on the back. Have a stop sign designed that is only 12" across and on a short 8" paddle for storage and handling.

Sincerely,

Robert Leslie

"Wing Bob"

***Affiliated Organizations:***

American Legion Riders, Arcade-Phalen Post 577, Chapter President.

Tribute To The Troops, Member 6 years

Patriot Guard Riders, Member 10 years

CADASIL Rally organizer 3 years

Mailing Address:

Office of Administrative Hearings

PO Box 64620

St. Paul, MN 55164-0620

**Web site:** [www.oah.state.mn.us](http://www.oah.state.mn.us)

Please send comments to: **e mail;** [rulecomments.oah@state.mn.us](mailto:rulecomments.oah@state.mn.us)

**Fax** comments & messages to: **651-361-7936**

Deadline Date: **7 Jan 2014 @ 4:30 PM**

Comment Revision date NLT: **14 Jan 2014 @ 4:30PM (note, only revisions accepted for comments already sent in, no new comments will be accepted.)**