

Robert R. Carroll

January 6, 2014

1815 Trailway Dr. Apt #2

Eagan, Mn. 55122

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. Subd. 22.Daytime. For purposes of regulating the operation of a motor vehicle, "daytime" means the time from one-half hour before sunrise to one-half hour after sunset. I feel this could change depending on time of year as Fall and Spring rides could run after sunset.

2. Pg 2 line 2.7 -2.15, **Qualified prior impaired driving incident.** If someone has a prior impaired driving incident on their record and they have already served there punishment, followed the proper procedures, and have a valid driver license, they should not be disqualified. This would be double jeopardy and punishing them twice for a prior incident that they have already made amends for.

3. Pg 2 line 2.22 – 3.2, **ANSI/ISEA 107-2004 standard.** This is not a road construction site, this is an organized motorcycle group ride, organized to move motorcycles cautiously along a route and through intersections at an expedient and safe pace. **The stop sign is too large for carrying on a motorcycle.** Reflective pants will cause

overheating of the rider in extreme hot weather; they will also melt on the exhaust pipes. Reflective vest /shirts already being used.

7422-0200

4. Pg 3, line 3.19, **Restrictions**. Some charity group fund raiser rides might not have 20 riders participating in them, but are still for the purpose of a charity. Consider lowering the number to 10.

5. Pg. 3, line 3.22 **Liability Insurance**. Most of these rides are organized by 501(3c) Non-Profit organizations and by having to put insurance policies on the rides takes away funds from the charity that it is raised for and defeating the purpose of the charitable ride event. Each registered motorcycle rider already has insurance on them and their passenger (**a Minnesota State Law**), or they do not participate in the event. Most rides have waiver forms that each participant signs before going on the ride.

6. Pg 4, line 4.3 **Riding daytime hours** *Same as 1. Pg.1 line 1.12 Daytime. Subd.*

22.Daytime. *For purposes of regulating the operation of a motor vehicle, "daytime" means the time from one-half hour before sunrise to one-half hour after sunset. I feel this could change depending on time of year as Fall and Spring rides could run after sunset.*

7. Pg.4, line 4.8 **Requirement to produce proof of liability Insurance.** Change to the **Road Captain for the ride having all the proper documents for this event with him/her and if needed he/she will present them.** The Road Captain/s do all of the preparation for the ride in most cases. This would leave 1 person for the peace officer to deal with.

8. Pg. 4, line 4.14, **Suspending certificate for not carrying policy on them. Refer back to** 5. Pg. 3, line 3.22 **Liability Insurance**. Most of these rides are organized by 501(3c) Non-Profit organizations and by having to put insurance policies on the rides takes away funds from the charity that it is raised for and defeating the purpose of the charitable ride event. Each registered motorcycle rider already has insurance on them and their passenger (**a Minnesota State Law**), or they do not participate in the event.

Most rides have waiver forms that each participant signs before going on the ride. 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? **If Liability insurance is covered by each individual like Minnesota State Law requires there is no need for this section.**

7422-0300

9. Pg. 6 line 6.1- 6.3, **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 – 6.19, **Annual driving records check. This should not be required,** (1) as this is not a CDL, (2) we have state laws already enforce, regarding driving records and suspensions. I thought the intent was to reduce the strain on local law enforcement and sheriff departments from having to stop the traffic for these events, by having certified Road Guards.

7422-0500

11. Pg. 7 line 7.6 - 7.14, **Issuance,** Two years, **Look at four to five years, like Commercial Oversize Escort license.** Then have it be an endorsement, next to the motorcycle endorsement on your driver license. Have it automatically renew it when you renew your DL, unless you have a disqualifying event. Some rides are only once a year, and renewing their certificate, 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 Minnesota State laws covering the use of alcohol and controlled substances.**

7422-1000

13. Pg. 10 line 10.23 **Vehicle Requirements: Restrictions.** Use equipment or lighting for use exclusively by emergency vehicles: **Change to allow Road Guards to use Amber revolving/emergency lighting, as it gets the attention of other drivers and is another level of protection for the Road Guards.**

7422-1100

14. Pg. 11 line 11.3 **Passenger age limit.** Here is the problem with this. For an example a 16 year old daughter has been a passenger for thousands of miles, yet 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?

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7422-1100

15. Pg. 11 line 11.4 - 11.13 **Flagging equipment. The stop sign should not have anything on back,** which 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.** Look at a stop sign designed that is only 10" to 12" across and on a short 8" handle **(comparable to snowmobile signage)** for storage and handling.

16. Pg. 11 line 11.4 -11.13 **Flagging equipment** The *stop sign* would be a hazard to the driver from being cumbersome and bulky, also from high winds could cause serious handling problems

Sincerely,

Robert R. Carroll

Affiliated Organizations:

1776 American Legion Riders, 3 years

American Legion Member 8 years

1776 American Legion Membership 3 years

1776 Vice Director - 2014

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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.*)