

Rule 375-7-4-.07 Motorcycle Safety Program - Certified Private Sponsor Requirements

- (1) All Sponsors shall meet the following minimum requirements:
 - (a) any individual or organization seeking approval to teach or offer instruction in motorcycle rider education and training on behalf of the Department shall make application at least thirty (30) days prior to course offering and shall not commence the course until receiving certification;
 - (b) sponsor certification will expire two (2) years from the date of issuance;
 - (c) sponsor must apply for recertification within ninety (90) days of expiration date of certification period;
 - (d) only Motorcycle Safety Program-certified Coach Trainers and Coaches will be used to conduct motorcycle rider education and training courses;
 - (e) use only approved curricula in accordance with the *Rider Coach Certification Manual* and/or *Sponsor Program Certification Manual*;
 - (f) maintain accurate records of student participation, ~~accident~~ and incident reports, and make same available for inspection at all times;
 - (g) make sure that all students, Coaches, and training motorcycles are covered by insurance during all training sessions;
 - (h) submit all required documentation as set out in the *Sponsor Program Certification Manual*;
 - (i) shall designate an individual as site manager or site administrator who shall be responsible for, but not limited to: ensuring all persons enrolling meet eligibility requirements and are properly registered; recordkeeping; managing site; reporting, supervising all instructional personnel and overseeing the operation of the program;
 - (j) monitoring will be conducted by Program Administrator and other persons authorized by the Motorcycle Safety Program to make audits and visits; and
 - (k) Coach and student course evaluations will be provided and submitted after each course to the Motorcycle Safety Program without alteration or abridgement.
- (2) Sponsor applications will be considered on the basis of the ability to train sufficient numbers of students and prevention of the unnecessary duplication of the provision of rider education courses.
- (3) A Sponsor found in violation of any requirements, laws, rules and regulations, or falsification of documents will be subject to suspension.
- (4) A suspended Sponsor may appeal to the Department for a hearing in accordance with Ga. Comp. R. & Regs. R. 375-1-1-.06.
- (5) Adequate insurance must be obtained by Sponsors to protect both the State, the Sponsor, all instructional personnel, students, and training motorcycles.
- (6) Each registered student must complete a Release, Waiver, and Indemnification form approved by the Motorcycle Safety Program which releases the State, the Sponsor, and all persons and organizations involved in the training program from any loss, costs, claim and/or damage arising out of participation in any course.

- (7) The Sponsor will, to the satisfaction of the Motorcycle Safety Program, carry insurance for all phases of training in the following categories, but not limited to:
 - (a) medical;
 - (b) comprehensive and collision; and
 - (c) bodily injury and property damage liability.
- (8) The insurance supplier and coverage limits must be approved by the Department.
- (9) The Sponsor must file with the Motorcycle Safety Program, prior to the start of any classes, a certificate of insurance or letter verifying insurance fully executed by the insurance company.
- (10) It must be understood by the insurance company that the Motorcycle Safety Program must be given written notification of policy cancellation at least thirty (30) days prior to any such action.
- (11) The insurance provided by the Sponsor will be the primary coverage and the insurance company so notified.
- (12) Reporting by the Sponsor shall include but not be limited to:
 - (a) class schedules;
 - (b) registration information;
 - (c) ~~accident~~/incident report forms; and
 - (d) other reports as set in the Sponsor Specifications.
- (13) The Sponsor is responsible for completing and submitting any reports required by other public or private sector agencies or any individuals as a result of ~~accident~~crash or incident of theft, vandalism, damage or injury to training personnel, students, and equipment. Copies of any such reports shall be forwarded to the Motorcycle Safety Program Office immediately.
- (14) Sponsors who wish to provide motorcycle safety training in addition to courses approved by the Motorcycle Safety Program must comply with all statutory and regulatory requirements for licensure as a driver training school.
- (15) Any items provided the Sponsor are property of the State of Georgia and will be returned to the Motorcycle Safety Program in the event the Sponsor discontinues course offerings or is suspended.
- (16) All materials and equipment supplied to Sponsors will be maintained on inventory and a copy provided and kept on file in the Motorcycle Safety Program Office.
- (17) Supply of materials and equipment shall lie in the sound discretion of the Department and shall further be contingent upon the availability of funding for this purpose.
- (18) Certified Sponsors must enter into a contractual agreement with the Department.

Authority: O.C.G.A. § 40-15-3.

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this amendment is to align the rule with modern highway safety and Motorcycle Safety Foundation (MSF) terminology.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULE

The word "accident" is removed from sections (1)(f) and (12)(c) to align with current terminology used on the incident report form. The word "accident" is replaced with the word "crash" in section (13).