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HOUSE BILL NO. 1476

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on January 24, 2013)

(Patrons Prior to Substitute—Delegates Scott, E.T. and Robinson [HB1865])

A BILL to amend and reenact § 46.2-1190.2 of the Code of Virginia, relating to motorcycle rider safety training centers.

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1190.2 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1190.2. Facilities and equipment; requirements and approval.

A. A training center shall possess or have access to the use of all classroom, range, storage facilities, and equipment. A training center's facilities and equipment shall be approved by the Department and include, but not be limited to:

1. A classroom for the presentation of the off-cycle instructional portion of the novice, experienced, and sidecar and three-wheeled motorcycle rider courses;

2. A paved range area for the on-cycle portion of the novice, experienced rider, and sidecar and three-wheeled motorcycle courses consistent with the minimum range requirements established by the Department-approved curriculum used in the course;

3. For those agencies, organizations, businesses and individuals that apply to receive reimbursement, adequate storage to protect motorcycles and equipment from vandalism, theft, and environmental damage;

4. Audio-visual equipment; and

5. Fire extinguisher and first aid kit.

B. The training center shall be responsible for procuring and providing a minimum of one motorcycle per student. *Each such motorcycle shall be of a type that may lawfully be operated on the highways of the Commonwealth, has and, subject to the provisions of subsection D, meets two of the following three criteria: (i) an engine displacement of no more than 500 cubic centimeters, weighs (ii) a weight of less than 400 pounds, and is equipped with (iii) a seat whose height will accommodate each novice rider course participant height of 30 inches or less.* Each participant in the experienced rider course shall provide a motorcycle for use in the course. One sidecar rig or three-wheeled motorcycle, provided by either a participant or the training center, shall be required for use by every two students in the sidecar and three-wheeled motorcycle course.

C. The training center shall be responsible for the normal maintenance and repair of all motorcycles it provides for each novice rider and sidecar and three-wheeled motorcycle course participant. All motorcycles used in course instruction shall pass a safety inspection performed by the instructors prior to use in any motorcycle rider-training course.

D. The Department, or its authorized agent, shall inspect and approve each training center's facilities and equipment prior to issuance or renewal of a license. *Even if a motorcycle meets the criteria under subsection B, the Department or its authorized agent may deny its use by motorcycle rider safety training centers if it is deemed unsafe by the Department. A motorcycle may be deemed unsafe because of modification, damage, lack of maintenance, nonstandard configuration, or any other substantial safety reason.*