

## **Motorcycle Safety Education Commission Meeting**

**Kentucky Justice and Public Safety Cabinet  
First Floor Conference Room  
State Office Building Annex  
125 Holmes Street  
Frankfort, Kentucky 40601**

**10:00am-12:00pm  
July 20, 2015**

### **AGENDA**

**Commission members present:** Steve Hanlon, Dean Broaddus, Glenda Hobbic, Rick Schad (In Process)

Not present: Jay Huber, the Kentucky State Police Representative

**Commission Guests:** Chris Millard, Tim Cody, Mike Scrivner, Evelyn Mynes, Dinah Meister, Stanley Allen, Bruce Young,

**Justice and Public Safety Cabinet Staff Present:** Ruth Edwards, Donna Jones, Mark Fincel – Grants Management Branch

#### **• Greetings and Introductions**

The July 20, 2015, meeting of the Kentucky Motorcycle Safety Education Commission (KMSEC) was called to order by Chair Steve Hanlon. An agenda and supporting materials were distributed for review and discussion. Chair Hanlon recognized the number of visitors and requested everyone to identify themselves and their associated agency.

#### **• Prior Meeting Minutes and Reports:**

The minutes for March 9, 2015 meeting were distributed. A motion was made by Dean to accept the meeting minutes; Rick seconded the motion; all were in favor.

Chair Hanlon asked members to look over the financial report. A motion was made by Glenda to accept the financial report; Dean seconded the motion; all in favor.

#### **• ECU Program Update**

Chris Millard provided the Commission with an update on the three items to be addressed by Eastern Kentucky University (EKU) as follows;

## **EKU Policy and Procedure Manual**

The revisions to EKU's Kentucky Motorcycle Program Policy and Procedure manual were reviewed and approved by EKU's legal department. Chair Hanlon brought up several items found in the manual that concerned him; such as, EKU's ability to terminate the contract if they can't train the people within thirty (30) to sixty (60) days and not training the BRC in the rain but its okay to train the BRC2 and the ARC in the rain. Chris clarified the statement for terminating the contract due to sites not running courses at all. He went on to say this was not coming from EKU but from the RFP itself. Chair Hanlon expressed his concerns for not meeting the needs of the rider. He agrees there needs to be structure with all the rules followed but doesn't wish for what could be perceived as threatening language. Chris assured the commission that EKU's legal department reviewed prior to making available. Dinah mentioned if the intent could be make clearer then maybe it would be better received.

Chris asked the Commission if this version was better than the prior version which the Commission readily agreed. Chris then announced the revised policy and procedures are effective as of today. When asked if any of the Commission members had any concerns or comments prior to voting to accept the policy and procedure manual. Bruce questioned why a rider coach would want to train in the rain. Some responses included so the student would not lose traction and another to prepare the student for the reality of actually riding in the rain one day after training. At one point, Chris was asked what is EKU's definition of compromised riding in the rain. He responded, "anything liquid that could potentially cause an accident." He went on to say if the range is drying up after a rain and there is some rain left on the range, it would then be at the discretion of the rider coach. Dean stated the manual does not state that. He continued, some coaches prefer opportunities to train in light rain to provide the proper training so that when a new rider gets caught in the rain, he/she would know how to handle the bike. Same with the temperatures of below 40 degrees. Chris agreed to take the concerns of the Commission to their legal department to have them consider including the language to say training in the rain would be at the discretion of the rider coach. Chris also stated he believes the language can be fixed within a week providing the communication between the Commission and EKU is open and the legal department agrees to the suggested changes. He asked if the Commission would be agreeable to open communication via e-mail. The Commission confirmed they are receptive to open communications via e-mail.

The discussion then moved on to the status of scooters. The Commission inquired if scooters were at all site locations. Chris stated, "no, because not all sites would use them." He also said EKU requires the batteries to be fully charged which they can ensure at their building. Should a site need a scooter; all the site needs to do is communicate with EKU and they would deliver.

Chair Hanlon asked for a motion to accept EKU's policy and procedure manual with posed amendments. Glenda made the motion to accept; Rick seconding the motion. All were in favor.

## **Building**

Chris provided all Commission members with a fact sheet as it relates to the current condition of the building the KY Motorcycle Program operates out of along with their proposal on addressing the issue. When asked by Chair Hanlon to recap the information on the document, Chris stated for quite some time, EKU has actively searched for another facility within a two hundred (200) mile range to handle the whole motorcycle program along with the anticipated growth of the program but had no luck. It was

mentioned to leave the bikes at the site provider but that is not an option because they are the property of EKU.

Chair Hanlon stated the Commission is not in a position to purchase a building. He asked Chris about EKU's commitment in constructing a building as he believes the Commission cannot own a building but could definitely pay for rent. Chris stated EKU holds the land. A possibility would be for the Commission to pay rent covering the cost of building the building and believes when it's completed, the Commission would only then be charged for maintenance and utilities which would be at a much lower cost than what they are paying now. Currently KMP is renting a dilapidated 12,000 square foot building and wishes to expand to a 31,000 square foot building bringing all of the program under one roof rather than having separate locations; including two classrooms and offices. Chair Hanlon asked about the cost. Chris replied a steel structured building would cost approximately a couple hundred thousand dollars. A brick building to match EKU's campus structure would cost approximately four (4) to seven (7) million dollars. Payments could be spread out. He went on to say these amounts are just estimates as EKU has not pursued an architect to provide a more accurate cost assessment. Chair Hanlon stated the Commission cannot commit to a capital expense. When asked where EKU would get the funds for this project, Chris replied, "from the grant." Again Chris reiterated the amounts given today were only estimates. Discussion included a concern if the Commission were to agree to this arrangement, who would own the building if the KMP were to be transferred to another entity within Kentucky. Chair Hanlon stated this is going to cost the Commission no matter what they do. Chris agreed to have an architect draw up a plan with costs.

### **Online registration.**

Currently EKU does not have a problem going forward with the online registration. Chris mentioned they have an upcoming site provider meeting in the fall and would like to receive feedback from the providers. EKU does have concern regarding people's finances as some people do not have credit cards. A solution is site providers would take cash payment at the time of training to provide that service to those without credit cards. He stated the system would be managed by EKU with a possibility of contracting to a third party which would cause a delay in payment. When asked how this would impact the site provider, Chris clarified the student would pay online, it would delay the payment from the student but the reimbursement to the site provider would not be affected.

So what happens when a student does not complete the course? How does that impact reimbursement to the site provider? Evelyn stated that EKU will provide a reimbursement check in the amount of \$50 to the site provider. Although this amount is not the same as the reimbursement for a student who complete the class, EKU cannot change the reimbursement policy until the RFP changes.

### **• Sub-Committee Reports/General Updates**

#### **• Student Registration Software**

This was already discussed in the online registration under EKU program update section.

#### **• Media Plan**

RideKY.net, lists all the events EKU has been to. It also includes photos of the trucks with the logo wrap and Chris brought one of the trucks today. Chris stated KMP uses their 10' x 20' tents at events to

promote the program. He went on to say they have quite a few upcoming events with the main focus at the Kentucky State Fair which will be staffed by two (2) to three (3) rider coaches each day of the fair.

### **RFP Committee**

Nothing to report as Jay is absent from today's meeting.

### **• Other**

#### **Commission Member Replacement**

Chair Hanlon talked with Jay at some point before today's meeting and the Commission has a replacement for former Commission member Larry Cox; should be approved soon. Rich Schad is the replacement for Doug Marshall, representing Kentucky Transportation Cabinet's Division of Drivers' Licensing. Chair Hanlon stated the Commission is limited to the KSP position due to the member coming only from the Division of Driver's Licensing section. He indicated the Commission may need to change the language in the statute to provide a representative from KSP rather than Driver's Licensing. Chair welcomed Rick Schad aboard.

#### **2015 KMP Budget Review/Approval**

Ruth clarified for Commission members the 2016 budget they are looking at represents state fiscal year but it's really for the 2015 program year. When asked if any of the members know what they received last year, Ruth also showed the member where to look for the awarded amount on the financial report found in their packets today. Only increase is the storage building. Going from \$45,000 to \$120,000 for rental on a new facility and noticed a line item for helmet replacements.

Chair Hanlon asked members to look over the 2016 KMP Budget. A motion was made by Dean to accept the 2016 Budget; Glenda seconded the motion; all in favor.

### **Future Meeting Dates**

#### **Tentatively:**

- ✓ 09/14/2015
- ✓ 12/14/2015
- ✓ 03/14/16
- ✓ 6/13/16

Motion to accept the tentative Commission meeting dates was made by Dean and seconded by Rick. All in favor

### **Questions from the Field as presented by Dean Broaddus**

#### **Non-residents-**

Where are we on the issue? Ruth stated in their packets members will find information as it relates to non-resident student fee.

What happens when a student doesn't complete the program? Ruth mentioned this information is also found in the information which is based on the KRS and the language in the contract. The new contract would need to change the language to provide reimbursement whether or not the student completes the

program. It was mentioned that site providers actually get \$50 for an incomplete. Dean questioned why wouldn't they be given the full \$80 and not the \$50. Chair believes previously it was \$0 until recently.

In an earlier discussion with Jay Huber, he asked about the reimbursement rate on ARC and requests that it should be the same as the BRC and BRC2. Ruth indicated the rate structure is listed in the handout provided.

## **Curriculum**

Dean suggested to the Commission that it needs to discuss the change in the curriculum as some states are pulling out of MSF. Ohio is no longer changing to the new curriculum. He questioned Chris if ECU will be delaying next year's class. He suggested doing it when the classes slow down as opposed to the beginning of the riding season as that would impact training. Chris stated he would need to have the budget finalized prior to moving forward. He did say if they are going to do something this year, he would prefer moving the three day prep up a couple of months rather than transitioning in the last month. He also stated two (2) out of the three (3) rider coach trainers have already been trained in the new curriculum; comprising a three (3) day course to include classroom and range. ECU plans of giving the trainers plenty of time to train and transition. Additional questions asked were: what will the cost be to the students under the new curriculum and will it be mandated that students sign up online next year? Per Chris, a lot depends on how they do it, but it will not be mandated as some students do not have a credit card. Additionally the cost to the student will not change.

When asked when ECU anticipates the next rider coach prep course, Chris commented that he had hoped to have one already but unfortunately it hadn't happened but did say they have one planned in early October. He said he has thirty-five (35) rider coach applications on his desk now so October is a good time.

Dinah asked Chris if sites would be able to do their own online registration. Chris replied that ECU does not wish to stop anyone from doing online registrations. He did mention if site use their own online registration, then they wouldn't be able to register through KMP.

## **Adjourn**

Glenda moved to adjourn today's commission meeting; Rick seconded the motion; and all were in favor.