

KENTUCKY MOTORCYCLE SAFETY EDUCATION COMMISSION

**Kentucky Justice and Public Safety Cabinet
1st Floor Conference Room
State Office Building Annex
125 Holmes Street
Frankfort, Kentucky 40601**

**September 13, 2010
10:00 a.m. – 12:00 p.m.**

Commission Members Present: Steve Hanlon (Chair), Michael Scrivner, Tim Cody, Jay Huber, Major Lynn Cross

Justice and Public Safety Cabinet Staff Present: Tanya Dickinson, Emily Koyagi, and Donna Jones- Grants Management Branch

I. Greetings and Introductions

The September 13, 2010, meeting of the Kentucky Motorcycle Safety Education Commission (KMSEC) was called to order by Chairman Hanlon. An agenda and supporting materials were distributed for review and discussion. Mr. Huber announced that Mr. Cox has retired from Sen. McConnell's office. He can now be reached at 502-523-4152. Ms. Dickinson reported to the group that Ms. Donna Jones will be assuming Tanya's role in working with the Commission. Ms. Dickinson reported that Major Cross's confirmation has been submitted but has not yet been approved.

II. Prior Meeting Minutes and Reports

The minutes for the June 14, 2010, KMSEC meeting were distributed. A motion was made by Mr. Huber to approve the meeting minutes. The motion was seconded by Mr. Cody and all were in favor.

III. EKV FY2011 Award Review and Discussion

Chairman Hanlon reported that he attended the June meeting of the Kentucky Motorcycle Program (KMP) site providers. He said the meeting went well but expressed dissatisfaction with a few things. He was disappointed to see that the training manual had not been revised in accordance with the feedback he had provided. Mr. Huber mentioned that one problem with the manual is that it refers to appendices that are not included. Chairman Hanlon also reported that an announcement was made at the training that site providers could no longer hold private training sessions. By statute, training can cost no more than \$150, so the private training sessions that cost more than this are in violation of the statute. This has not been enforced previously, but at the meeting it was announced that this law must be followed. The Commission discussed the possibility of amending the statute to allow for private training that costs above \$150.

Chairman Hanlon also expressed disappointment regarding the fact that the Commission had asked ECU to put the site in Lexington on hold but ECU issued a press release that announced training in Fayette County. This didn't end up coming to fruition, however, because of parking lot issues. Ms. Dickinson reminded the group that this was going to be a mobile site using the satellite training center and not a permanent site. In a previous discussion, the Commission had encouraged use of the mobile site program, but did not directly specify where the mobile sites were to be used.

Chairman Hanlon distributed several graphs he had created using program statistics. He noted that the creation of the Georgetown site corresponds with a decrease in training at the Richmond site. He also noted that of the top 5 providers in the state, 4 are private. He stated that private sites are doing really well for program.

Ms. Dickinson passed out the quarterly program statistics for review. She noted that ECU has submitted everything at this point through June 30, 2010. She has received the July 2010 reimbursement request but has not yet had a chance to review it. There may be some things that will be charged back to 2010 in the July report. For 2010, ECU budgeted 730K but spent 484K. Mr. Huber asked why ECU was over budget on consultant contracts and Ms. Dickinson replied that she did not know the specific reason but that it was within their allowed variance. The Commission reviewed the fact that there has been a significant decrease in rider totals. For example, in July 2009, 351 students took the BRC and 51 students took the ERC, and in July 2010, 262 BRC students and 37 took the ERC. The Commission discussed the fact that the economy and hot weather may have contributed to the decline. Other members wondered if the decline could be due to the creation/termination of sites.

V. Status of Rider Rebate Program

Ms. Dickinson distributed press releases about the rider rebate program. Mr. Cody reported that he has heard from the field that some sites are showing an increase in training numbers while others are not. Not all sites wanted to participate in the program. Both sites in Paducah opted not to do it. The numbers from August are not in yet so it is not yet known whether there has been an increase. Commission members agreed that the heat during the summer has been a significant impediment to training.

The rider rebate program will continue until the end of the year and may be extended into next spring as well. If necessary, the continuation of the program can be supported with additional state funds. There have been some complaints about the time it takes to for the sites to receive the reimbursements. However, these were unspecified, and Ms. Dickinson suggested that the Commission survey the sites at end of the year to get feedback on the program. She stated that this can be done anonymously by the Cabinet using a free tool such as Survey Monkey. Chairman Hanlon asked if the reimbursement process for sites needs to be easier. Mr. Cody replied that it can't get much easier than it already is.

Mr. Huber updated the Commission on the initiative that would announce the reduced training cost to all permit holders in the state. Mr. Huber has the postcard drafted but he

still needs the official letter from the Justice and Public Safety Cabinet to the Transportation Cabinet requesting the database of permit holders. A \$600 check needs to accompany this official letter. Ms. Dickinson will follow up on this and get the letter and check prepared. A question was raised about whether the Commission should get the entire database or just the permit holders. Ms. Dickinson advised that the Commission should just request the permit holders to ease the process of creating the mailing.

The Commission discussed the ways in which training numbers can be increased. Major Cross stated that the program needs to be better advertised. He suggested that the program be added to the driver's license manual. He will check with KSP about this. He also agreed to check to make sure EKU's KMP brochure is at all the state police posts and driver's license test sites. Mr. Huber suggested running advertisements in biker magazines directly geared toward Kentucky riders. Major Cross suggested looking into partnering with insurance companies as a means of advertising the program. The target audience of the program was discussed. It was generally agreed upon that the program needs to reach out not just to new riders but also to experienced riders. Mr. Cody reported that the current target audience has been new riders. He stated that the declining numbers correspond closely to a drop in sales at dealerships. Some Commission members expressed a desire for the training to be mandatory. This has been done in Florida. Members also discussed the fact that Kentucky riders are allowed to renew their permits, which last three years, multiple times. The Commission would like to see a cap on this.

Given the fact that several issues were raised that would need to be addressed through legislation, the Commission called a meeting of the Legislative Sub-Committee. Mr. Jay Huber, Mr. Larry Cox, and Major Lynn Cross will serve on this sub-committee. The Legislative Sub-Committee will meet in October to discuss the following legislative ideas:

- Amending the motorcycle permit process to cap the number of times a permit can be renewed.
- Implementing a program that allows ticketed motorcyclists to take a KMP course as a form of pre-trial diversion.
- Amending the cap on the amount a rider can be charged for training to allow for private training.

VI. RFP Process FY 2012

Chairman Hanlon believes the number of riders served is declining while the costs are continuing to increase. He would like to consider issuing an RFP for the program to see what fresh new ideas are out there and to see if a better, more efficient program can be developed. It is Chairman Hanlon's opinion that the cost of the program is not proportional to number of riders being trained in comparison to other states. He has also had difficulty obtaining data/information from EKU, and is concerned about inaccuracies in training materials and data. Ms. Dickinson advised that requests to the program should go through Justice as they have the contractual relationship with the program, and may already have some of the information.

There was much discussion and variance of opinion on EKU's performance, with some Commission members expressing dissatisfaction with how EKU is running the program and specifically their relationship with the Commission and other members expressing satisfaction with the program stating that EKU is doing a sufficient job and should be given the opportunity to improve. Mr. Cody reminded Commission members that programs across the country are facing problems. He stated that 38 states have seen their numbers decrease. The economy is likely to blame for this. Major Cross suggested a face-to-face meeting with EKU that would give the Commission the opportunity to discuss areas of concern. Ms. Dickinson reminded the Commission that EKU met as requested last year, and is scheduled to meet again with the site plan at the commission's March meeting as part of their grant award conditions. The Commission agreed that the goal of issuing an RFP is not to find a replacement for EKU but just to see what options are available.

Chairman Hanlon and the Commission agreed to call a meeting of the Rider Ed RFP and Program Guidelines Subcommittee to discuss an RFP for FY 2012. Sub-Committee members include Mr. Tim Cody, Chairman Steve Hanlon, and Mr. Jay Huber. The Committee will set up the meeting for some time in November. Ms. Dickinson and Ms. Jones will attend as well. Ms. Dickinson told the group that issuing an RFP will be a long process. At a minimum, it will take six months. There are no issues of malfeasance with EKU's contract. She stated that an RFP will be an open grant opportunity and that although the Commission can define the RFP, the evaluation and awarding of the contract will be done by the Cabinet. When the RFP is issued, the Commission can set the budget. Ms. Dickinson suggested that the Commission may more specifically benefit from a RFI (Request for Information) to assess what is available before issuing a full RFP. Chairman Hanlon stated that he thought the Commission does have contracting power, however Ms. Dickinson stated that according to the Cabinet's General Counsel, it rests with Cabinet. The Commission has no day-to-day oversight over the program.

VII. Sub-Committee Reports

There were no sub-committee reports.

VIII. Public Comment Opportunity

There were no comments from the public.

IX. Adjourn

Chairman Hanlon made a motion to adjourn the meeting. The motion was seconded by Mr. Huber and all were in favor.