

CHAPTER 85**MOTORCYCLE SAFETY EDUCATION PROGRAM****Authority**

N.J.S.A. 27:5F-40 and Reorganization Plan No. 001-2005.

Source and Effective Date

R.2006 d.206, effective May 4, 2006.
See: 37 N.J.R. 4890(a), 38 N.J.R. 2512(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 85, Motorcycle Safety Education Program, expires on May 4, 2013. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Pursuant to Executive Order No. 66(1978), Chapter 85, Motorcycle Safety Education Program, was adopted as R.1995 d.273, effective June 5, 1995. See: 27 N.J.R. 1145(a), 27 N.J.R. 2244(c).

Subchapter 8, Office of Highway Traffic Safety Course, was adopted as R.1998 d.572, effective December 7, 1998. See: 30 N.J.R. 3425(a), 30 N.J.R. 4248(b).

Pursuant to Executive Order No. 66(1978), Chapter 85, Motorcycle Safety Education Program, was readopted as R.2000 d.240, effective May 12, 2000. See: 32 N.J.R. 1161(a), 32 N.J.R. 2093(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 85, Motorcycle Safety Education Program, was extended by gubernatorial directive from May 12, 2005 to November 8, 2005. See: 37 N.J.R. 1036(a).

Chapter 85, Motorcycle Safety Education Program, was readopted as R.2006 d.206, effective May 4, 2006. As a part of R.2006 d.206, Subchapter 4, Office of Highway Traffic Safety Course, was renamed Motor Vehicle Commission Course, effective June 5, 2006. See: Source and Effective Date. See, also, section annotations.

Subchapter 6, Certified Instructor, was renamed Rider Coach Certification, former Appendices A, B and C were repealed and Appendices A, B and C were adopted as new rules by R.2009 d.251, effective August 17, 2009. See: 40 N.J.R. 5179(a), 41 N.J.R. 3100(a).

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SUBCHAPTER 1. PURPOSE, SCOPE AND DEFINITIONS**13:85-1.1 Purpose and scope**

The rules contained in this chapter implement the provisions of N.J.S.A. 27:5F-36 et seq. The rules establish the Motor Vehicle Commission Motorcycle Safety Education Course and the requirements for participation in and successful completion of the course, and govern public and private educational institutions, including United States military installations located in New Jersey, as well as New Jersey licensed new motorcycle dealers, which are approved by the Chief Administrator to provide the course and their rider coaches.

Amended by R.2000 d.240, effective June 5, 2000.
See: 32 N.J.R. 1161(a), 32 N.J.R. 2093(a).

Deleted second half of first sentence; added second sentence.
Amended by R.2006 d.206, effective June 5, 2006.
See: 37 N.J.R. 4890(a), 38 N.J.R. 2512(a).

Substituted “N.J.S.A. 27:5F-36 et seq.” for “N.J.S.A. 27:5F-40”, “Motor Vehicle Commission Motorcycle Safety Education Course” for “Office of Highway Traffic Safety motorcycle safety education course” and “their” for “its”.

Amended by R.2009 d.251, effective August 17, 2009.

See: 40 N.J.R. 5179(a), 41 N.J.R. 3100(a).

Inserted “, including United States military installations located in New Jersey, as well as New Jersey licensed new motorcycle dealers, which are” and “by the Chief Administrator” and substituted “rider coaches” for “instructors”.

13:85-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Additional Practice Riding Course” means the Additional Practice Riding Course, which is a motorcycle rider education course developed by the Motorcycle Safety Foundation to provide additional riding exercises to riders who have completed the BRC.

“BRC” means the Basic Rider Course, which is a motorcycle rider education course developed by the Motorcycle Safety Foundation to train riders who have little or no riding experience.

“Chief Administrator” means the Chief Administrator of the New Jersey Motor Vehicle Commission.

“Class” means a group of people enrolled for training as participants in a particular scheduled course.

“Course curriculum” means, for each skill level of MSE instruction and training offered, the complete, scheduled, and sequential set of classroom and range instruction and training units approved by the Chief Administrator for presentation to a class in order to provide each participant with the specified activities necessary for satisfactory completion of the MSE course in question.

“ERC Suite” means the Experienced Rider Course, which is a motorcycle rider education course developed by the Motorcycle Safety Foundation intended for experienced motorcycle riders. The “ERC Suite” consists of three Rider Courses:

1. The ERC Skills Practice Rider Course, which provides riding exercises only;
2. The ERC Skills Plus Rider Course, which provides classroom instruction and riding exercises; and
3. The ERC License Waiver Rider Course, which provides classroom instruction, riding exercises, and skills evaluation.

“Examining rider coach” means the person assigned by a provider to administer the motorcycle skill test required for successful completion of the MSE Basic Skills course, the ERC Suite License Waiver Rider Course, or the Additional Practice Riding Course.

“Location” means each separate place approved by the Chief Administrator where classroom and/or range instruction and training in the MSE course is offered to participants.

“Location coordinator” means a person designated by a provider to be responsible for the materials, supplies and equipment needed in connection with the offering of the MSE course at a location.

“Motor Vehicle Commission” or “Commission” means the New Jersey Motor Vehicle Commission established by section 4 of P.L. 2003, c. 13 (N.J.S.A. 39:2A-4).

“Motorcycle safety education course,” “MSE course,” or “course” means the course of motorcycle safety education classroom instruction and range training established by the Chief Administrator and any of the skill levels at which it may be offered.

“MSF” means the Motorcycle Safety Foundation. The Motorcycle Safety Foundation may be contacted at 2 Jenner Street, Suite 150, Irvine, California 92618-3806.

“Participant” means a person enrolled in an MSE course established by the Chief Administrator.

“Program” means the course of instruction and training in motorcycle safety education established by the Chief Administrator pursuant to N.J.S.A. 27:5F-36 open to a person who is the holder of a motorcycle operator examination permit or a motorcycle license or endorsement issued by the Motor Vehicle Commission.

“Provider” means a public or private educational institution, including a United States military installation located in this State, or a New Jersey licensed new motorcycle dealer, which is approved by the Chief Administrator to offer the motorcycle safety education course.

“Range” means an area set aside for the operation of motorcycles as part of a course curriculum specified by the Motorcycle Safety Foundation and approved by the Chief Administrator.

“Rider coach” means a person holding a valid certification issued by the MSF to act as a rider coach and to offer instruction in the operation of a motorcycle in an MSF course.

“Rider coach candidate” means a person enrolled in a rider coach preparation course.

“Rider Coach Preparation course” or “RCP” means the Motorcycle Safety Foundation Rider Coach Preparation course, which is a course of instruction designed to prepare qualified persons to teach the Basic Rider Course.

“Rider coach trainer” means a person who teaches classes for rider coach candidates.