

By Representative Kelly

1                                   A bill to be entitled  
2           An act relating to motorcycle safety education;  
3           amending s. 215.22, F.S.; providing an  
4           exemption from a required deduction for that  
5           portion of the Highway Safety Operating Trust  
6           Fund funded by the motorcycle safety education  
7           fee; amending s. 322.0255, F.S.; authorizing  
8           the Department of Highway Safety and Motor  
9           Vehicles to purchase and maintain motorcycles,  
10          equipment, and materials for use in motorcycle  
11          safety courses; deleting a limitation on the  
12          reimbursement of certain fees; amending s.  
13          322.21, F.S.; increasing the motorcycle  
14          endorsement fee; providing an effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18           Section 1. Paragraph (s) is added to subsection (1) of  
19 section 215.22, Florida Statutes, 1996 Supplement, to read:

20           215.22 Certain income and certain trust funds  
21 exempt.--

22           (1) The following income of a revenue nature or the  
23 following trust funds shall be exempt from the deduction  
24 required by s. 215.20(1):

25           (s) That portion of the Highway Safety Operating Trust  
26 Fund funded by the Motorcycle Safety Education fee collected  
27 pursuant to s. 320.08(1)(d).

28           Section 2. Subsections (2) and (5) of section  
29 322.0255, Florida Statutes, are amended to read:

30           322.0255 Florida Motorcycle Safety Education  
31 Program.--

1           (2) The department shall establish and administer  
2 motorcycle safety courses and may also purchase and maintain  
3 motorcycles, equipment, and materials for use in the program.  
4 The department shall prescribe the curricula for such courses,  
5 which must include a minimum of 12 hours of instruction, at  
6 least 6 hours of which shall consist of actual motorcycle  
7 operation. The department may adopt or include courses,  
8 curricula, or materials developed by the Motorcycle Safety  
9 Foundation or by other traffic safety groups determined to be  
10 comparable by the department.

11           (5) The department shall, subject to the availability  
12 of funds, reimburse each organization that provides an  
13 approved motorcycle safety education course ~~an amount not to~~  
14 ~~exceed \$50~~ for each student who begins the on-cycle portion of  
15 the ~~successfully completes such~~ course. This shall include  
16 any student not required to attend a motorcycle safety  
17 education course prior to licensure as required in s. 322.12.  
18 The amount to be reimbursed per student to each course  
19 provider shall be determined by the department. In order to  
20 facilitate such determination, each course provider shall be  
21 required to submit proof satisfactory to the department of the  
22 expected cost per student to be incurred by such course  
23 provider. In no event shall the amount to be reimbursed per  
24 student to any course provider exceed the expected cost per  
25 student ~~or \$50, whichever is less~~. In addition to the amount  
26 of any reimbursement, each course provider that conducts such  
27 a course may charge each student a tuition fee sufficient to  
28 defray the cost of conducting the course. The department  
29 shall fund the payments required under this subsection from  
30 the motorcycle safety education fee, as provided in ss. 320.08  
31 and 322.025.

1 Section 3. Paragraph (e) of subsection (1) of section  
2 322.21, Florida Statutes, is amended to read:

3 322.21 License fees; procedure for handling and  
4 collecting fees.--

5 (1) Except as otherwise provided herein, the fee for:

6 (e) Each endorsement required by s. 322.57 is \$5,  
7 except for the motorcycle endorsement under s. 322.57(1)(f),  
8 which is \$8. Of the \$8 motorcycle endorsement fee, \$3 shall be  
9 deposited in the Highway Safety Operating Trust Fund and shall  
10 be used exclusively to fund a motorcycle education program  
11 established in s. 322.0255.

12 Section 4. This act shall take effect July 1, 1997.

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15 HOUSE SUMMARY

16 Exempts that portion of the Highway Safety Operating  
17 Trust Fund funded by the Motorcycle Safety Education fee  
18 collected by law from a deduction required by s.  
19 215.20(1), F.S. Authorizes the Department of Highway  
20 Safety and Motor Vehicles to purchase and maintain  
21 motorcycles, equipment, and materials for use in  
22 motorcycle safety courses. Deletes a limitation available  
23 to organizations that provide approved motorcycle safety  
24 education courses for each student who begins the  
25 on-cycle portion of the course. Increases to \$8 the fee  
26 for motorcycle endorsements. See bill for details.  
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