

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**

**April 12, 2010
10:00a.m. – 12:30p.m.**

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

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

Guests: Wayne Steele (EKU), Terry Kline (EKU)

I. Greetings and Introductions

The 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. The minutes from the March 15, 2010, KMSEC meeting were distributed. Chairman Hanlon stated that a correction needed to be made to the minutes regarding the booth that the Commission will assist with at the Kentucky State Police (KSP) Motorcycle Safety Day. The booth will be that of the Kentucky Motorcycle Program (KMP) not the Kentucky Motorcycle Association (KMA). With this correction, Mr. Cox made a motion to adopt the meeting minutes. Mr. Scrivner seconded the motion and all were in favor.

II. EKU FY 2010 Proposal Review and Discussion

During this special meeting, the Commission members presented questions about EKU's FY 2010 proposal to Mr. Steele and Mr. Kline. EKU was given a chance to respond to each question and explain their rationale for including specific items in the proposal. The following paragraphs summarize the primary issues discussed by the Commission.

Mr. Huber asked EKU to explain why a site is being developed in Lexington. He and other Commission members expressed concern with establishing a site in Lexington since there are already sites in Georgetown, Richmond, and Frankfort. Mr. Huber stated that the current sites aren't being utilized to their full capacity. He is concerned about efficiency and the use of KMP funds. Commission members also expressed concern about taking business away from the current site providers. EKU explained that site

selection is based on population and the need in the area. They reported that they get frequent requests for classes in Lexington. ECU feels that establishing a site in Lexington will also help them to serve the needs of Nicholasville, which currently does not have a provider in close proximity. ECU explained that they would be reestablishing a site, not establishing new site since in the past Lexington has had a site. ECU also reported that the lack of a site in Lexington was a criticism from NHTSA's review. Mr. Huber countered that the NHTSA money is running out soon so this shouldn't be an issue. ECU explained that it continues to be a factor for them as they deal with federal program managers and look towards other future funding opportunities. Chairman Hanlon pointed out that of NHTSA's six criticisms, two have already been addressed which shows a good faith effort at addressing their concerns.

ECU reiterated that they put sites where there is the most demand. Mr. Steele cautioned Commission members not just to judge sites and site selection simply by the numbers or trends in the numbers. For example, last year, only one site saw an increase in training numbers. This was likely a result of the bad economy. Mr. Steele also pointed out that several KMP sites share their range with other programs which limits ability to schedule classes. This is particularly true of the Richmond site. Richmond runs a class every other week. It has two ranges so it can work 24 students at a time. It is difficult to schedule any additional classes due to other events and classes booked on the range. ECU explained that the Lexington site would be a satellite site used for overflow from Georgetown and Richmond.

The Commission discussed other areas of the state with a potential need for a site provider. Owensboro is an area in need of a provider, however, it has been difficult to find a location for a site. There was a site but it was shut down by the city. Mr. Steele detailed the difficulties ECU has faced in finding appropriate sites for the ranges. ECU will continue to explore the possibility of establishing ranges in Hopkinsville and Owensboro. Mr. Steele asked the Commission to please let ECU know if they know of an area where KMP could pursue a site. Ms. Dickinson proposed that the Commission provide ECU with a list of regions that the Commission is concerned might be underserved. ECU could then respond to this and provide historical information about their experiences trying to serve that area. The Commission also discussed the possibility of collaborating with KSP as they look for sites for their CDL program. KSP's Captain Murray has expressed interest in such a collaboration. Mr. Cody has attended meetings about the CDL training and he said no mention has been made of purchasing a site. Mr. Scrivner pointed out that the criteria for a CDL testing site is much different and may not meet KMP's needs. For example, the CDL testing can be done on a gravel lot.

Mr. Steele reported to the Commission that ECU's goal is to ensure that any rider who wants to be trained will be able to do so within 30 days of his or her request. If a rider calls a site and can't get into a class in a timely manner, ECU will call the site and see what can be done to help establish more classes. Chairman Hanlon asked ECU about the provision in the contract that states that ECU can terminate a site provider for being unwilling to establish more classes. He feels that this language is too punitive. Mr. Steele

agreed to revisit the language and craft it in a way that would address Chairman Hanlon's concerns.

Chairman Hanlon also asked ECU to review its interpretation of the KRS regarding KMP. ECU's contract states that KMP is statutorily required to establish rider classes throughout Kentucky.

Chairman Hanlon asked ECU to provide documentation about the Georgetown site potentially closing down. He would like more information on this. Chairman Hanlon also requested that ECU provide him with a spreadsheet containing all of the training data.

Mr. Huber asked ECU to explain the \$67,000 allocated in the proposal for new motorcycles. ECU stated that KMP has approximately 40 bikes that are over 20 years old. In 16 years, KMP has never rotated its stock of bikes. He explained that Honda's training bikes (CB 125tt) cannot be sold, they must be destroyed. Mr. Steele plans to remove the gas from the bikes and use them at sites as classroom demo models.

Mr. Huber asked ECU to explain the \$12,000 allocated for site maintenance assistance. ECU explained that this money will be used to hire additional help to transfer and maintain the bikes during the winter.

The Commission discussed the training completion reward. ECU reported that they cannot purchase the gift cards but could distribute them. Ms. Dickinson will check to see if the Cabinet can purchase the gift cards. After much discussion about how the process would work, the Commission agreed that the gift cards could be sent along with the training materials to the site providers. A line could be added to the paperwork the rider fills out that would acknowledge receipt of the gift card upon successful completion of the course. Mr. Cody explained that the mechanism is already in place to send back unused materials, so the unused gift cards could be sent back along with the unused materials. The Commission agreed that for this incentive program to be successful, it must be advertised statewide. ECU will provide the Commission with cost estimates for mailing an announcement of the incentive program to permit holders. ECU will provide cost estimates for both a postcard and a packet of information (one page letter and a KMP flyer), for 50,000 people. ECU will also check with the County Clerks to see if they can distribute information about the incentive program.

The Commission discussed the development of the KMP website. ECU has a website developed, they are just working out some final details. The challenge will be including online registration and payment processing in the site. ECU only works with one bank so processing the credit cards is difficult.

Mr. Huber made a motion to have KMP distribute up to \$200,000 worth of gift cards, to be purchased by the Justice and Public Safety Cabinet, to all in-state and over 18 riders who have successfully completed the Beginning Rider Course (BRC) and/or the Experienced Rider Course (ERC). Mr. Scrivner seconded the motion and all were in favor.

Mr. Cox made a motion to approve the creation of the grant award documents for continuation of KMP with ECU with revisions including the addition of the "Additional proposed conditions of the award" (presented to ECU by Tanya Dickinson on behalf of the Commission), the removal of site expansion discussion (no new sites after July 1, 2010, unless Commission grants approval), the agreement to provide all materials produced by ECU to the Commission, the submission of a proposal to the Commission for providing a KMP website, the addition of a requirement of 30 days prior notice for changes in the procedures manual, the submission of a site provider plan to the Commission, and other items discussed today (e.g. gift cards). Mr. Scrivner seconded the motion and all were in favor.

Chairman Hanlon reminded the Commission about KSP's Motorcycle Safety Day which will be held on May 12, 2010.

VIII. Public Comment Opportunity

There were no comments from the public.

IX. Meeting Adjournment

Mr. Cox made a motion to adjourn the meeting. Major Cross seconded the motion and all members were in favor.