

**Readopt with amendment Saf-C 5300, effective 5-14-14 (Document #10589), cited and to read as follows:**

CHAPTER Saf-C 5300 MOTORCYCLE RIDER EDUCATION PROGRAM RULES

Statutory Authority: RSA 263:34-c.

PART Saf-C 5301 DEFINITIONS

Saf-C 5301.01 "Basic rider course (BRC)" means ~~at~~ the basic rider course established by the motorcycle safety foundation (MSF) for beginning riders.

Saf-C 5301.02 "Beginning rider" means a student who has:

- (a) Little or no previous motorcycle riding experience; and
- (b) Not obtained a valid motorcycle endorsement on ~~his or her~~ their driver license

Saf-C 5301.03 "~~Chief instructor~~" means "~~chief instructor~~" as defined in RSA 263:34 a, I.

~~Saf-C 5301.04~~ "Class" means a group of students enrolled in any one motorcycle rider education program course.

Saf-C 5301.054 "Contract" means an agreement in which the contractor provides motorcycle rider education program services as specified by the department.

Saf-C 5301.065 "Contractor" means any agency, organization, partnership, or person under contract with the department to provide motorcycle rider education program services.

Saf-C 5301.076 "Course section" means a training module included within a set of modules comprising classroom or range instruction for a motorcycle rider education program course or an instructor preparation course.

Saf-C 5301.087 "Department" means "department" as defined in RSA 259:19.

Saf-C 5301.098 "Director" means "director" as defined in RSA 259:20, or their designee.

Saf-C 5301.1009 "Experienced rider course skills practice (ERC-SP) ~~(ERC)~~" means a course established by the motorcycle safety foundation (MSF) for experienced riders.

Saf-C 5301.110 "Experienced rider" means a motorcyclist who has:

- (a) Substantial motorcycle riding experience; or
- (b) Previously obtained a valid motorcycle endorsement on ~~his or her~~ their driver license.

Saf-C 5301.121 "Fund" means "fund" as defined in RSA 263:34-a, II.

Saf-C 5301.132 "Instructor preparation course" means a course established by the motorcycle safety foundation (MSF) which an instructor-trainee must take and pass in order to become an instructor. The term includes "rider coach preparation workshop".

Saf-C 5301.143 "Intermediate rider course (IRC)" means an intermediate or remedial rider course designed for students who:

- (a) Have completed a BRC and passed both the ~~written~~knowledge test and skills evaluation; or
- (b) Have completed a BRC and passed the ~~written evaluation~~knowledge test within the previous 12 months but have attempted and failed to pass the skills evaluation.

Saf-C 5301.14 "Knowledge Test" means a written or electronic knowledge evaluation to be completed by each student in order to successfully pass a motorcycle rider education program course.

Saf-C 5301.15 "License Waiver" means a type of training course for individuals who do not hold a motorcycle endorsement that includes a classroom component, a knowledge test, and skills test which, if both tests are passed, allows the individual to add the MC endorsement to their license with no further testing from the department.

Saf-C 5301.156 "Moped" means "moped" as defined in RSA 259:57.

Saf-C 5301.167 "Motorcycle" means "motorcycle" as defined in RSA 259:63.

Saf-C 5301.178 "Motorcycle rider education program" means "motorcycle rider education program" as defined in RSA 263:34-a, III.

Saf-C 5301.1819 "Off-road motorcycle" means, for the purpose of this chapter, any motorcycle with extended wheel forks or "trail bikes" as defined in RSA 215-A:1, XIV.

Saf-C 5301.1920 "Out-of-service" means a motorcycle that is not in a condition to be safely operated by a student during a motorcycle rider education program.

Saf-C 5301.2021 "Protective gear" means the clothing and equipment to be worn by instructors and students during all range activities.

Saf-C 5301.2122 "Program coordinator" means "program coordinator" as defined in RSA 263:34-a, IV.

Saf-C 5301.2223 "Range" means a paved area marked or delineated for practicing and evaluating a student's motorcycle riding skills.

Saf-C 5301.2324 "Range aide" means the person chosen by the program coordinator to assist the instructors in a non-instructional role.

Saf-C 5301.2425 "Refresher course" means a mandatory, annual course which all instructors must complete in order to maintain ~~his or her~~their status as an instructor. The definition also includes the term "spring update".

Saf-C 5301.2526 "Resident" means "resident" as defined in RSA 259:88.

Saf-C 5301.2627 "Site manager" means a person who works directly for the program coordinator to oversee motorcycle rider education program sites throughout the state.

Saf-C 5301.2728 "Skills evaluation" means the basic or experienced rider course range evaluation to be completed by each student in order to successfully pass the motorcycle rider education program course.

Saf-C 5301.29 “Skills practice” means a type of training course for individuals who hold a motorcycle endorsement and that wish to hone and improve skills on their motorcycle with formal professional training.

Saf-C 5301.2830 “Written evaluation” means a BRC or ERC training course written or electronic test examination to be completed by each student in order to successfully pass the motorcycle rider education program course. The definition includes the term “knowledge test”.

## PART Saf-C 5302 INSTRUCTOR REQUIREMENTS AND TRAINING STANDARDS

### Saf-C 5302.01 Instructor Qualifications.

(a) Each instructor-trainee shall:

- (1) Meet the qualifications of RSA 263:34-d, II;
- (2) Complete and submit an application to the director on form DSMV 621 “Motorcycle Rider Training Program Rider Coach Application” (Rev. 02/14);
- (3) Complete and submit a DSSP 256 form “Criminal Record Release Authorization Form” (Rev. 05/12) to authorize the department to obtain the applicant’s criminal record; and
- (4) Complete and submit a DSMV 505 form “Release of Motor Vehicle Records” (Rev. 09/12) to authorize the department to obtain the applicant’s motor vehicle record.

(b) The department shall furnish the forms listed above at the motorcycle rider education program, Division of Motor Vehicles, 23 Hazen Drive, Concord, N.H. 03305.

(c) An application shall be accepted if the applicant:

- (1) Submits all completed forms and meets all of the requirements of Saf-C 5302.01;
- (2) Meets the requirements of RSA 263:34-d;
- (3) Has no disqualifying convictions on the criminal history record check pursuant to Saf-C 5302.01(d); and
- (4) Has no disqualifying convictions on the motor vehicle record pursuant to Saf-C 5302.01(g);

(d) For the purposes of (c)(3) above, disqualifying convictions shall include the following:

- (1) Conviction involving the commission of a crime in which the applicant used a motor vehicle to commit said crime;
- (2) Conviction for deviate behavior such as rape, deviate sexual relations or sexual assault;
- (3) Conviction for an offense resulting in the corruption or delinquency of a minor child;
- (4) A conviction within the preceding 5 years for:
  - a. Driving a motor vehicle under the influence of alcohol or controlled drugs;

- b. Leaving the scene of a motor vehicle accident;
- c. Reckless driving;
- d. Driving to endanger, unless in the judgment of the commissioner, the applicant's reputation is such that the conviction is unlikely to adversely affect the applicant's physical, mental or moral fitness to instruct driver education; or
- e. Any offense set forth in RSA 259:39, I;

(5) Conviction involving the manufacture, illegal transportation, possession, sale, or use of a controlled drug;

(6) Conviction of New Hampshire motor vehicle or criminal laws or law of any other jurisdiction, that has a direct bearing on the applicant's fitness to hold a driver education instructor certificate;

(7) Involvement in a motor vehicle accident that has a direct bearing on the applicant's fitness to drive; and

(8) Financial responsibility is required and is not on file with the department, if applicable.

(f) Each applicant shall not be eligible for hire for one year, if ~~his or her~~their driver record report has sufficient convictions. For the purposes of this rule, "sufficient convictions" means 3 accidents with findings of fault, 3 convictions or a combination of 3 accidents and convictions, within the 24 month period preceding the date the driver record report is generated.

(g) For the purposes of (f) above, motor vehicle convictions which shall be considered for disqualification include:

- (1) RSA 263:1-a, allowing an improper person to drive a motor vehicle;
- (2) RSA 263:2, failure to display or produce driver license for inspection by an officer;
- (3) RSA 263:85, allowing an improper person to drive a commercial motor vehicle;
- (4) RSA 263:13, failure to abide by driver license restrictions;
- (5) RSA 263:92, driving a motor vehicle with the improper class of driver license;
- (6) RSA 263:30, driving without a motorcycle license;
- (7) RSA 265:3, obedience to a police officer;
- (8) RSA 265:9, obedience to any required traffic control device;
- (9) RSA 265:25, following too closely;
- (10) RSA 265:26-a, driving on a sidewalk;
- (11) RSA 265:28, failure to yield the right of way;

- (12) RSA 265:30, failure to obey a yield sign;
- (13) RSA 265:31, failure to obey a stop or a yield sign;
- (14) RSA 265:37, RSA 265:41, failure to use due care;
- (15) RSA 265:45, failure to signal turn;
- (16) RSA 265:48-51, improper conduct at a railroad crossing;
- (17) RSA 265:94, illegal backing;
- (18) RSA 265:95, obstruction of driver's view;
- (19) RSA 265:96, improperly opening and closing vehicle doors;
- (20) RSA 265:99, coasting;
- (21) RSA 265:100, following fire apparatus too closely;
- (22) RSA 265:106, prohibited carrying of passengers in truck;
- (23) RSA 265:60-67, speeding;
- (24) RSA 261:75, 261:77, knowing misuse of plates;
- (25) RSA 261:76, knowing failure to display plates;
- (26) RSA 265:16, failure to drive on right hand side of the road;
- (27) RSA 265:18-20, improper passing;
- (28) RSA 265:22, crossing yellow line;
- (29) RSA 261:61, knowing misuse of registration;
- (30) RSA 262:3, false report of theft;
- (31) RSA 262:7, RSA 262:10, changing or removing vehicle identification;
- (32) RSA 262:16, modifying or forging an inspection sticker or registration decal;
- (33) RSA 265:54, overtaking and passing a school bus;
- (34) RSA 262:1, alteration of title;
- (35) RSA 262:12, taking without owner's consent;
- (36) RSA 262:17, odometer tampering;
- (37) RSA 263:63, driving without proof of financial responsibility;
- (38) RSA 263:64, driving after revocation or suspension;

- (39) RSA 264:25, conduct after an accident;
  - (40) RSA 265:4, disobeying a police officer;
  - (41) RSA 265:75, racing on highway;
  - (42) RSA 265:79, reckless driving; and
  - (43) RSA 265:79-b, negligent driving.
- (h) The applicant shall sign and date the form.
  - (i) Each applicant shall successfully complete an interview with the program coordinator.
  - (j) For the purposes of (i) above, the applicant shall demonstrate:
    - (1) Concern for rider safety;
    - (2) Experience in motorcycle riding;
    - (3) Knowledge of motorcycles; and
    - (4) An ability to communicate with others.

Saf-C 5302.02 Instructor Training Standards.

- (a) Each instructor-trainee shall complete an instructor preparation course established by the MSF.
- (b) Each instructor-trainee shall complete a liability waiver statement pursuant to Saf-C 5306.04, for any motorcycle rider education program ~~he/she is~~ they are required to attend.
- (c) Each ~~DMV~~ instructor-trainee shall ~~reimburse the department in the amount of \$50.00 for its cost of the instructor's guide~~ be provided with the current MSF RiderCoach Guide.
- (d) Each instructor-trainee shall attend all course sections of the instructor preparation course.
- (e) In order to pass the instructor preparation course, each instructor-trainee shall successfully complete:
  - (1) A skills evaluation;
  - (2) A ~~written evaluation~~ knowledge test; and
  - (3) A student-teacher lesson based upon MSF evaluation criteria.

Saf-C 5302.03 Instructor Certification. Upon successful completion of the instructor preparation course, each instructor shall be issued a certificate of completion by the chief instructor and a state instructor identification number.

Saf-C 5302.04 Instructors Certified by Other States.

- (a) A person who has been certified as an instructor in any other jurisdiction may apply for New Hampshire instructor certification.

(b) Each applicant shall complete and submit a DSMV 620 form “Motorcycle Rider Training Program Instructor Application” (Rev. 03/14).

(c) Pursuant to RSA 263:34-d, III, the applicant shall provide a certified copy of ~~his or her~~their driving record for the preceding 5 years.

(d) The applicant shall provide a certified copy of ~~his or her~~their criminal record.

(e) The applicant shall submit a statement that he or she understands and agrees to instruct MSF curricula as adopted by the department.

(f) The applicant shall sign and date the DSMV 620 form “Motorcycle Rider Training Program Instructor Application” (Rev. 03/14).

(g) Each applicant shall successfully complete:

(1) An interview with the program coordinator; and

(2) A skills evaluation.

(h) For the purposes of (g)(1) above, the applicant shall demonstrate:

(1) Concern for rider safety;

(2) Experience in motorcycle riding;

(3) Knowledge of motorcycles; and

(4) An ability to communicate with others.

(i) Upon meeting the requirements of RSA 263:34-d, II and III and these rules, the instructor shall be issued a state instructor identification number.

Saf-C 5302.05 Maintaining New Hampshire Motorcycle Rider Training Instructor Certification.

~~(a)~~ In order to maintain instructor certification, each certified instructor shall:

~~(1a)~~ Submit ~~a~~ rider coach application form pursuant to Saf-C 5302.01(a)(2) every year;

~~(2b)~~ Teach at least 3 BRCs for the motorcycle rider education program per year;

~~(3c)~~ Take at least one refresher course and one professional development workshop per year;

~~(4d)~~ Teach all courses offered by the motorcycle rider education program according to MSF curricula as adopted by the department;

~~(5e)~~ Provide a signed document stating ~~his or her~~their criminal record can be obtained by the department, pursuant to Saf-C 5302.01(a)(3);

~~(6f)~~ Provide a signed document stating ~~his or her~~their driving record can be obtained by the department, pursuant to Saf-C 5302.01(a)(4);

(7g) Maintain a current valid driver license with a motorcycle endorsement; and

(8h) Maintain the requirements set forth in RSA 263:34-d, II.

Saf-C 5302.06 Revocation or Suspension of Instructor Certificate.

(a) Instructors shall report to the program coordinator any convictions, guilty pleas, or nolo contendere pleas for violations of motor vehicle or criminal laws described in Saf-C 5302.01 within 48 hours of the judgment.

(b) Upon receipt of a report of judgment by an instructor, or receipt of information showing good cause, the department shall revoke or suspend an instructor's certification, after notice and the opportunity for an administrative hearing.

(c) Good cause shall include any of the violations described in Saf-C 5302.01.

(d) Each instructor whose certificate is sought to be revoked or suspended pursuant to these rules shall be afforded notice and the opportunity for an administrative hearing.

(e) Each person requesting a hearing shall submit a written request to the Bureau of Hearings, 33 Hazen Drive, Concord, NH 03305.

(f) All administrative hearings shall be conducted in accordance with the provisions of Saf-C 200.

(g) The scope of the hearing shall include the following:

(1) Review of the evidence submitted, pursuant to (a) through (c) above, that supports the revocation or suspension of a driver education instructor certificate:

(2) Age of applicant;

(3) Number of years of driving experience;

(4) Type(s) of conviction, moving or non-moving;

(5) Past history as it relates to current convictions;

(6) Mitigating circumstances;

(7) Evidence of any alcohol related convictions or violations within the preceding 10 years:

(8) Evidence of a physical, mental, or emotional impairment that would preclude safe operation of a motor vehicle:

(9) Evidence that the person is on any medication that would preclude safe operation of a motor vehicle: and

(10) Any other evidence indication the driver education instructor's fitness to safely drive a motor vehicle or instruct driver education to pupils, both in the classroom and on the road.

(g) the department shall notify the applicant's employer or superintendent of any decision from the bureau of hearings.

(h) Notwithstanding (b) above, the director shall revoke an instructor certificate immediately, pursuant to RSA 263:59, if they receive evidence that the instructor:

(1) Is physically or mentally an improper or incompetent person to drive;



(2) Is driving improperly so as to endanger the public; or

(3) Has made a material false statement in their application.

(i) Any person whose instructor certificate has been revoked pursuant to (h) above, shall be entitled to an administrative hearing in accordance with the provisions of Saf-C 200.

#### PART Saf-C 5303 DUTIES OF COURSE PERSONNEL

##### Saf-C 5303.01 Duties of the Site Manager.

(a) The site manager shall:

(1) Check range areas, classrooms and instructors to ensure that they are in compliance with MSF standards, as adopted by the department;

(2) Provide each instructor with classroom materials and range equipment;

(3) Check that all motorcycles are in-service and that spare parts are available, if necessary, to repair any motorcycles;

(4) Check that instructors are properly scheduled for each course;

(5) ~~Maintain~~ Provides to the program coordinator any incident reports for all personal injuries and property damage for each site;

(6) Immediately notify the director and the program coordinator of any personal injuries; and

(7) Provide a written report of any personal injuries or property damage to the director and the program coordinator within 48 hours of the incident.

##### ~~Saf C 5303.02 Duties of Chief Instructor.~~

~~(a) The chief instructor shall:~~

~~(1) Assist the department with establishing and maintaining the motorcycle rider education program; and~~

~~(2) Train, evaluate and certify instructors.~~

##### Saf-C 5303.03 Duties of Instructor.

~~(a)~~ The instructor shall:

~~(1a)~~ Conduct course sections, according to MSF approved curricula as adopted by the department;

~~(2b)~~ Maintain an instructor-student ratio of no more than 1 to 6;

~~(3c)~~ Observe that each student enrolled in a motorcycle rider education program course wears protective gear;

~~(4d)~~ Inspect each motorcycle before the beginning of each course;

- (5e) Supervise all range activities;
- (6f) Demonstrate all range exercises;
- (7g) Confirm that each student is properly registered and completes the waiver form, at the beginning of the classroom portion of the course;
- (8h) Designate and report to the chief instructor and program coordinator each student eligible for the IRC pursuant to Saf-C 5304.03;
- (9i) Conduct remedial training during the BRC courses;
- (10j) Immediately notify the director, program coordinator, and site manager of any personal injuries;
- (11k) Provide a written report of any personal injuries or property damage to the site manager within 48 hours of the incident; and
- (12l) Evaluate student riding performance and issue completion cards, pursuant to RSA 263:34-b, V.

Saf-C 5303.043 Duties of Range Aide.

(a) The range aide shall:

- (1a) Set up and organize range equipment throughout the course; and
- (2b) Maintain the range area free from debris and obstructions.

PART Saf-C 5304 COURSE STANDARDS

Saf-C 5304.01 Basic RiderCourse (BRC). The minimum standards for the BRC shall be as specified in the MSF BRC RiderCoach Guide, ~~thirteenth printing, April 2010, copyright 2005-2009~~ Edition 1.0, Seventh Printing (Rev. April 2022), available as stated in Appendix B.

Saf-C 5304.02 Experienced RiderCourse (ERC). The minimum standards for ~~the ERC shall be as specified in the MSF BRC 2 Suite, first printing 2010~~ both the Experienced RiderCourse – Skills Practice (ERC-SP) and the Experienced RiderCourse – License Waiver (ERC-LW) shall be as specified in the MSF Basic RiderCourse 2 RiderCoach Guide, Edition 1.0, first printing: March 2015, available as stated in Appendix B.

Saf-C 5304.03 Intermediate RiderCourse (IRC).

(a) The minimum standards for the IRC shall be as specified in the MSF BRC RiderCoach Guide, ~~thirteenth printing, April 2010, copyright 2005-2009~~ edition 1.0, Seventh Printing (Rev. April 2022), available as stated in Appendix B.

(b) Course subject matter for the IRC shall vary depending upon the needs of the individual remedial students.

(c) A student shall be eligible for the IRC if ~~he or she~~ they:

(1) ~~Has~~Have completed the BRC and passed both the ~~written evaluation~~knowledge test and skills evaluation; or

(2) ~~Has~~Have completed the entire BRC and passed the ~~written evaluation~~knowledge test within the previous 12 months but has failed to pass the skills evaluation.

~~(d) Notwithstanding (c)(2) above, a student shall not be eligible for the IRC if the failure of the BRC skill test was a result of a lack of effort on the student's part.~~

~~(e) A student shall not be eligible for the IRC if he or she has~~They have failed the BRC ~~written evaluation~~knowledge test.

#### PART Saf-C 5305 STUDENT REGISTRATION

Saf-C 5305.01 Student Application. ~~The department shall furnish each~~Each interested person with ~~an application~~applying to register for a motorcycle rider education program course; shall complete and submit DSMV 414 “Motorcycle Training Course Registration Form” (Rev. 03/14), ~~which such person shall complete and submit to the department.~~ available either:

(a) online at <https://www.dmv.nh.gov/sites/g/files/ehbemt416/files/inline-documents/dsmv414.pdf>;  
or

(b) By mail or in person at

Division of Motor Vehicles  
ATTN: Motorcycle Rider Training Program  
23 Hazen Drive  
Concord, NH 03305

Saf-C 5305.02 Tuition.

(a) The department shall charge the following tuition fees:

- (1) For a BRC, \$155.00 per resident student and \$205.00 per non-resident student;
- (2) For an ERC, \$65.00 per resident student and \$85.00 per non-resident student; and;
- (3) For an IRC, \$60.00 per resident student and \$80.00 per non-resident student.

(b) Pursuant to RSA 263:34-b, VI, the director shall authorize each contractor to charge the following tuition fees:

- (1) For a BRC, a maximum of \$500.00 per student;
- (2) For an ERC, a maximum of \$250.00 per student; and
- (3) For an IRC, a maximum of \$200.00 per student.

(c) Tuition fees shall be non-refundable, except as provided in Saf-C 5305.04.

Saf-C 5305.03 Failure to Complete Course. In the event a student fails to complete a course, the instructor shall complete and submit form DSMV 622 “Motorcycle Rider Training Program BRC Incomplete Student Report” (Rev. 02/14) to the department and provide a copy to the student upon request.

Saf-C 5305.04 Refund Procedure.

(a) Each person seeking a refund of the tuition fee ~~for failure to appear~~ shall notify the director and the program coordinator immediately by phone with a follow up in writing no later than 7 days after the beginning prior to the start of the course.

(b) ~~Each person seeking a refund of the tuition fee for failure to complete a course shall notify the director no later than 7 days after departure from the course.~~

(c) Each person shall furnish the following in the notification:

- (1) Name;
- (2) Address;
- (3) Telephone number;
- (4) Date of class;
- (5) Driver license number; and
- (6) Reason for ~~failure to appear for the scheduled course, if applicable; and~~ refund request.
- ~~(7) Reason for failure to complete the course and date of departure, if applicable.~~

(d) The director or program coordinator shall notify the person of ~~his or her~~ their decision within 30 days of receipt of the request.

(e) The director or program coordinator shall make the determination based upon:

- (1) The person's reason for ~~failure to appear for the scheduled course or failure to complete the course~~ the refund request, such as:
  - a. Illness;
  - b. Accident;
  - c. Death or illness of a family member; or
  - d. Any other exigent circumstance beyond the person's control;
- (2) The recommendation of the program coordinator; and
- (3) The information provided pursuant to Saf-C 5305.03, if applicable.

(f) In the event a course is cancelled as a result of the department's action, each student scheduled for that particular course shall be issued a refund of the tuition fee or rescheduled for another available course.

PART Saf-C 5306 STUDENT REQUIREMENTS

Saf-C 5306.01 Registration. Each student enrolled in a ~~BRC, IRC, or ERC~~ rider education course shall register pursuant to Saf-C 5305.01~~(b)~~.

Saf-C 5306.02 Protective Gear.

(a) Each student shall wear protective gear, including:

- (1) Sturdy gloves made of leather or a heavy weight material;
- (2) Over-the-ankle boot with a heel no greater than 2.5 inches in height;
- (3) Long-sleeved shirt or jacket;
- (4) Long pants made of a heavyweight material with non-flare bottoms; and
- (5) A helmet with eye protection which meets United States department of transportation (USDOT) federal motor vehicle safety standard 218.

Saf-C 5306.03 Driver License.

~~(a)~~ Each student enrolled in a ~~BRC~~ motorcycle rider education program course shall:

- ~~(1a) Produce a valid driver license~~ If 18 years of age or older, produce a valid picture ID as proof of identification; or
- ~~(2b) Provide proof that he/she is eligible for a motorcycle learner's permit pursuant to RSA 263:32; or~~ If under 18 years of age, hold a current valid driver's license and produce the valid driver's license as proof of identification.
- ~~(3) Provide proof of successful completion of an approved driver's education program pursuant to 263:19 for those who are under 18 years of age.~~

Saf-C 5306.04 Waiver.

(a) Each student shall complete the "Motorcycle Safety Course Waiver & Indemnification" form DSMV 624 (Rev. 04/14) and the "Student Information form DSMV 623 (Rev. 03/14) at the beginning of the class.

(b) The student shall sign and date the waiver. If the student is under 18 years of age, the parent, step parent or legal guardian shall sign and date the waiver.

(c) The waiver shall release the department from any liability for injuries to persons or property caused by the negligence of the student or any other person or entity.

## PART Saf-C 5307 STUDENT CERTIFICATION

Saf-C 5307.01 Certificate of Completion.

(a) The director shall issue each student who successfully completes the requirements of a ~~BRC, ERC or IRC~~ motorcycle rider education program course a certificate of completion, ~~form DSMV 391~~.

(b) Pursuant to RSA 263:34-h, a person shall be exempt from the licensing skills evaluation required for a motorcycle operator's license or endorsement if:

(1) ~~He or she presents~~ They present to the director a certificate of completion ~~form DSMV 391;~~ and

(2) The certificate of completion, ~~form DSMV 391,~~ was completed less than one year from the date of request of the exemption.

(c) The director shall ~~issue a certificate of completion, form DSMV 391, to accept the recognized MSF completion certificate in lieu of~~ issuing a certificate of completion for each student who successfully passes one of the following out of state programs:

(1) Any state-approved motorcycle rider education program which consists of both classroom and riding segments; or

(2) Any nationally certified motorcycle rider education program approved by the director.

#### PART Saf-C 5308 MOTORCYCLES

##### Saf-C 5308.01 Qualifications.

(a) Each student enrolled in an ERC shall use ~~his or her~~ their own motorcycle.

(b) Each student enrolled in an ERC pursuant to (a) above shall be responsible for the safety of ~~his or her~~ their own motorcycle.

(c) No moped or off-road motorcycle shall be used by a student in the motorcycle rider education program course or instructor preparation course.

##### Saf-C 5308.02 Daily Inspection.

(a) The instructor shall inspect every motorcycle before each course begins.

(b) Any motorcycle, including those utilized in an ERC pursuant to Saf-C 5308.01, determined to be out-of-service by the instructor shall not be operated until repairs are made.

#### PART Saf-C 5309 FUND ADMINISTRATION

##### Saf-C 5309.01 Responsibilities of the Program Coordinator.

(a) The program coordinator shall:

(1) Manage disbursement from the fund as follows:

a. Prepare an annual budget for the fund; and

~~b. Submit all vouchers to the director for approval; and~~

~~e~~b. Submit contracts to the director for approval;

(2) Report on an annual basis to the ~~commissioner and the~~ director the amounts disbursed for:

a. Registration process;

- b. Site rental;
- c. Storage containers;
- d. Promotion;
- e. Instructor training;
- f. Motorcycles and helmets;
- g. Motorcycle maintenance; and
- h. Program teaching aids and equipment.

Saf-C 5309.02 Record Keeping and Reporting Procedures.

- (a) The program coordinator shall maintain the following records:
  - (1) A list of all students enrolled in each class;
  - (2) Student skills and written evaluation scores; and
  - (3) Contract payment or wages for chief instructors, instructors and range aides.
- (b) All records shall be maintained for a period of 5 years.

**APPENDIX A**

<b>RULE</b>	<b>STATUTE IMPLEMENTED</b>
Saf-C 5301.01 - Saf-C 5301.06	RSA 541-A:7
Saf-C 5301.07	RSA 259:19
Saf-C 5301.08	RSA 259:20
Saf-C 5301.09 - Saf-C 5301.10	RSA 541-A:7
Saf-C 5301.11	RSA 263:34-a, II
Saf-C 5301.12 - Saf-C 5301.15	RSA 541-A:7
Saf-C 5301.16	RSA 259:57
Saf-C 5301.17	RSA 259:63
Saf-C 5301.18	RSA 263:34-a, III
Saf-C 5301.19	RSA 541-A:7, RSA 215-A:1, XIV
Saf-C 5301.20 - Saf-C 5301.21	RSA 541-A:7
Saf-C 5301.22	RSA 541-A:7, RSA 263:34-a, IV
Saf-C 5301.23 - Saf-C 5301.25	RSA 541-A:7
Saf-C 5301.26	RSA 259:88
Saf-C 5301.27 - Saf-C 5301.30	RSA 541-A:7
Saf-C 5302.01 - Saf-C 5302.06	RSA 263:34-c, VI, VII; RSA 263:34-d
Saf-C 5303.01 - Saf-C 5303.03	RSA 263:34-c, II

Saf-C 5304.01 - Saf-C 5304.03	RSA 263:34-b, I, III; RSA 263:34-c, I, III
Saf-C 5305.01 - Saf-C 5305.04	RSA 263:34-b, III, VI; RSA 263:34-c, II, III, V
Saf-C 5305.02(a)	RSA 263:34-a through i
Saf-C 5306.01 - Saf-C 5306.04	RSA 263:34-b, III, IV; RSA 263:34-c, I, II, III
Saf-C 5307.01	RSA 263:34-b, V; RSA 263:34-c, IV, X; RSA 263:34-h
Saf-C 5308.01 - Saf-C 5308.02	RSA 263:34-b, III; RSA 263:34-c, III
Saf-C 5309.01 - Saf-C 5309.02	RSA 263:34-b, II; RSA 263:34-c, II, VIII, IX; RSA 263:34-e

### APPENDIX B

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<b>Rule</b>	<b>Title</b>	<b>Obtain at:</b>
Saf-C 5304.01; Saf-C 5304.03	BRC RiderCoach Guide, Edition 1.0, Seventh Printing, (Rev). April 2022	Communications Department Motorcycle Safety Foundation 2 Jenner Street, Suite 150 Irvine, CA 92618-3806 Telephone Orders: (949) 727-3227 Web Site: <a href="http://www.nsf-usa.org">www.nsf-usa.org</a>
Saf-C 5304.02	MSF Basic RiderCourse 2 RiderCoach Guide, Edition 1.0, First Printing, March 2015	Communications Department Motorcycle Safety Foundation 2 Jenner Street, Suite 150 Irvine, CA 92618-3806 Telephone Orders: (949) 727-3227 Web Site: <a href="http://www.nsf-usa.org">www.nsf-usa.org</a>