

This rule was filed as: 18 NMAC 20.10.

TITLE 18 TRANSPORTATION AND HIGHWAYS
CHAPTER 20 TRAFFIC SAFETY
PART 10 NEW MEXICO'S MOTORCYCLE TRAINING PROGRAM

18.20.10.1 ISSUING AGENCY: New Mexico State Highway and Transportation Department, Post Office Box 1149, Santa Fe, New Mexico 87504-1149 (505) 827-0427.
[Recompiled 11/16/01]

18.20.10.2 SCOPE: All state agencies and general public
[Recompiled 11/16/01]

18.20.10.3 STATUTORY AUTHORITY: This rule is adopted pursuant to NMSA 1978, Sections 66-10-9 and 66-10-10.
[Recompiled 11/16/01]

18.20.10.4 DURATION: Permanent.
[Recompiled 11/16/01]

18.20.10.5 EFFECTIVE DATE: January 1, 1999, unless a later date is cited at the end of a section or paragraph.
[Recompiled 11/16/01]

18.20.10.6 OBJECTIVE: The objective of this Rule is to:
A. Provide minimum and uniform standards and procedures for the operation of the New Mexico Motorcycle Training Program.

B. Provide minimum and uniform standards and procedures for the requirements to instruct for a New Mexico Motorcycle Training Program Course.

The objective of this rule is to comply with Federal Government requirements that highway route controlled quantities of radioactive materials," as defined in 49 C.F.R., Section 177.403, shall be transported over designated routes within the state, primarily over Interstate System Highways to the extent possible or over state designated preferred routes as an alternative to, or in addition to, Interstate System Highways.

[Recompiled 11/16/01]

18.20.10.7 DEFINITIONS:

A. "Bureau" means the Traffic Safety Bureau of the New Mexico State Highway and Transportation Department.

B. "Clean Driving Record" means a person does not have more than six points against his/her drivers license, has not had his/her license suspended or revoked, has never been convicted in any jurisdiction of an offense involving moral turpitude, has never been convicted in any jurisdiction of any alcohol or drug-related driving offense, and has not had a violation of the Implied Consent Act, as shown by a limited history driving record.

C. "Department" means the State Highway and Transportation Department.

D. "Designee" means a person or legal entity authorized by contract to perform certain duties on behalf of the Bureau.

E. "Person" means every natural person, firm, copartnership, association, corporation, or other legal entity.

[Recompiled 11/16/01]

18.20.10.8 MOTORCYCLE TRAINING PROGRAM REQUIREMENTS:

A, Motorcycle training courses shall be provided by the Department or its designee.

B. Motorcycle training courses shall be offered in areas of the State as designated by the Bureau.

C. Motorcycle training courses shall include:

(1) Information on helmet use and effectiveness;

(2) Motorcycle accident and fatality statistics;

- (3) Drug and Alcohol abuse information, laws, and statistics;
- (4) Street and highway safe driving habits;
- (5) Defensive driving; and
- (6) Curriculum and standards approved by the Motorcycle Safety Foundation.

[Recompiled 11/16/01]

18.20.10.9 MOTORCYCLE TRAINING COURSE INSTRUCTOR REQUIREMENTS:

- A. A minimum of twenty-one (21) years of age.
- B. Have a clean driving record.
- C. Have a valid motorcycle license/ endorsement.
- D. Be certified by the Motorcycle Safety Foundation.

[Recompiled 11/16/01]

18.20.10.10 COURSE FEES: All fees charged to the individuals who attend the Motorcycle Training Courses shall be approved by the Bureau.

[Recompiled 11/16/01]

18.20.10.11 SEVERABILITY: If any part of the application of this Rule is held invalid, the remainder of its application to other situations or persons shall not be affected.

[Recompiled 11/16/01]

HISTORY OF 18.20.10 NMAC:

Pre-NMAC Regulatory Filing History:

The material in this Part was derived from that previously filed with the State Records and Archives under: 83-4-PLN, Motorcycle Rider Safety and Training Program filed December 9, 1983; SHTD-87-2, Motorcycle Rider Safety Training Fund Program filed November 17, 1987; and SHTD Rule 91-2, Motorcycle Rider Safety and Training Program, filed October 3, 1991.

History of Repealed Material: [RESERVED]