



## **VIRGINIA RIDER TRAINING PROGRAM POLICY AND PROCEDURES**

### **Overview**

The Department of Motor Vehicles' Virginia Rider Training Program was established in 1984. In 2004, the Virginia General Assembly passed a law mandating that all motorcycle rider safety training sites be licensed by DMV. In response to that mandate, the Department of Motor Vehicles ("DMV") has created a committee to review and approve motorcycle rider safety training site license applications.

### **Mission**

To administer the laws set forth in the Virginia Code related to the licensing and operation of the Motorcycle Rider Safety Program in the Commonwealth.

### **Curriculum**

1. The basic rider training curriculum must meet or exceed the National Highway Traffic Administration's Model National Standards for Entry-Level Motorcycle Rider Training. The current DMV-approved curriculum for basic rider training is the Motorcycle Safety Foundation's Basic Rider Course. Each participant enrolled in a basic rider course must receive no less than the minimum number of hours of classroom and on-cycle instruction as specified in the current curriculum. Basic rider training will include a module on the effects of alcohol and other drugs on motorcycle operation, and a thorough review of Virginia laws and rules of the road applicable to motorcycles. All basic rider course participants must be provided one copy of the course textbook and one copy of the Virginia Motorcycle Operator Manual. During on-cycle instruction, no more than six students may be under the supervision of any one instructor at any one time, and no more than 12 students may operate motorcycles on the same range at the same time.
2. The current DMV-approved curriculum for experienced rider training is the Motorcycle Safety Foundation's Experienced Rider Suite. Each participant enrolled in an experienced rider course must receive no less than the minimum number of hours of classroom and on-cycle instruction as specified in the current curriculum. All experienced rider courses will include a module on the effects of alcohol and other drugs on motorcycle operation, and a review of Virginia laws and rules of the road applicable to motorcycles. During on-cycle instruction, no more than six students may be under the supervision of any one instructor at any one time, and no more than 12 students may operate motorcycles on the same range at the same time.

3. The current DMV-approved curriculum for sidecar and three-wheeled motorcycle rider training is the Evergreen Safety Council's Sidecar/Trike training course (basic and advanced). Each participant enrolled in a sidecar and three-wheeled motorcycle rider course must receive no less than the minimum number of hours of classroom and on-cycle instruction as specified in the current curriculum. All sidecar and three-wheeled motorcycle course participants will include a module on the effects of alcohol and other drugs on motorcycle operation, and a thorough review of Virginia laws and rules of the road applicable to motorcycles. During on-cycle instruction, no more than six students may be under the supervision of any one instructor at any one time, and no more than six students may operate sidecars or three-wheeled motorcycles on the same range at the same time.
4. All course participants must wear the following protective gear during on-cycle instruction:
  - a. A minimum three-quarter shell motorcycle helmet that meets U.S. Department of Transportation Safety standards;
  - b. Eye protection;
  - c. A pair of boots or shoes that cover and protect the ankles and feet;
  - d. A long sleeved jacket or long sleeved shirt and long pants of denim or other material of equivalent durability; and
  - e. A pair of full-fingered gloves of leather or other material with resistance to abrasion.
5. Individuals that complete the approved basic rider course through one of the licensed training sites will receive a course completion certificate, which serves as a 30 day provisional motorcycle classification. The individual then must bring the certificate to the local DMV Customer Service Center to have a class "M" designation added to his or her license.

### **Virginia Rider Training Program License Application Process**

No person or entity may operate a motorcycle training site in Virginia without obtaining a license from DMV. Applicants for a Virginia Rider Training Program license may apply for either a reimbursed license or non-reimbursed license. Commonwealth of Virginia state or local government educational agencies are eligible for reimbursed licensure. Private individuals, entities, or companies are eligible for non-reimbursed licensure only. No person or entity may operate both reimbursed and non-reimbursed sites.

DMV determines the number of reimbursed licenses issued or renewed based on (i) the training site meeting the requirements established by DMV, (ii) regional demand for such training, and (iii) availability of funding. Those licenses issued or renewed for providers of training courses that do not require reimbursement are awarded based on the training site's ability to meet the requirements established by DMV.

## Reimbursed Training Site

1. Prior to submitting an application to become a reimbursed training site, applicants must submit a written letter to the DMV Motorcycle Program Manager indicating the funds requested, location of the training range, and the number of students projected to be trained annually.
2. DMV will determine if the requested funds, equipment, and geographic area are available. DMV will contact the applicant and advise the applicant to formally apply for a training site license.
3. The applicant must then complete application form TSS 96 and submit all necessary documentation indicated on the form.
4. The application for training site licenses must include the following:
  - a. The address and detailed description of the facility or facilities where the course will be conducted;
  - b. The name, address, federal identification number, and telephone number of the Commonwealth of Virginia state or local government educational agency as a training site;
  - c. The name, addresses, social security number, and telephone number of the individual who is authorized to obligate the training site;
  - d. The names, addresses, social security numbers, and telephone numbers of the administrator and the instructors;
  - e. For those Commonwealth of Virginia state or local government educational agencies that apply to receive reimbursement, the names, addresses, social security numbers, and telephone numbers of all individuals who are to receive reimbursement;
  - f. A planned course schedule including course type, dates, and hours of course conduct;
  - g. The projected number of students to be trained in the program during the calendar year;
  - h. Detailed specifications of the curricula intended for use;
  - i. For those Commonwealth of Virginia state or local government educational agencies that apply to receive reimbursement, a planned course budget to include all estimated costs for course operation, administration, instructors' salaries, insurance, advertising, purchase of test books, equipment and materials, and other course-related expenses;
  - j. For those Commonwealth of Virginia state or local government educational agencies that apply to receive reimbursement, estimated course fees to be charged to participants;

- k. Verification of adequate insurance coverage to protect both the Commonwealth and the training site and all instructors, aides, and participants in any course conducted under the program, including the following:
    - i. Minimum employer's liability - \$100,000;
    - ii. Minimum commercial general liability - \$500,000 combined single limit;
    - iii. Minimum automobile liability - \$500,000 combined single limit; and
    - iv. Workers' compensation insurance in accordance with Va. Code § 2.2-4332 and Chapter 8 (Va. Code § 65.2-800 *et seq.*) of Title 65;
  - l. Verification of proper safety equipment and a sufficient number of training motorcycles for novice rider courses;
  - m. Verification that the designated classrooms, ranges, and motorcycle and equipment storage areas are available for all training courses offered by the training site at that site and that they comply with all necessary zoning, health, and safety codes;
  - n. Criminal background checks on all administrators and all individuals authorized to obligate the training site, criminal background checks must be from Virginia State Police or an FBI approved channeler from this website <https://www.fbi.gov/services/cjis/compact-council/list-of-approved-channelers>; and
  - o. A statement as to the ability and willingness of the applicant to meet all requirements set forth in the Virginia Code.
5. Any applicant denied a license a license will, on his or her written request made within 30 days of the Commissioner's action, be given a hearing at a time and place determined by the Commissioner or his or her designee. All hearings under this section are public and will be held as soon as practicable, but in no case later than 30 days from receipt of the hearing request. The applicant may be represented by counsel. Any applicant denied a license may not apply again for the same type of license for 180 calendar days from the date of denial of the application.
6. All invoices must be emailed to [accountspayable@dmv.virginia.gov](mailto:accountspayable@dmv.virginia.gov). Reimbursed sites may apply for direct deposit through the following web site <https://www.doa.virginia.gov/forms.shtml#edi>
7. All reimbursement increase requests must be submitted to the DMV Motorcycle Program Manager in writing and include the following:
- a. Reason for increase;
  - b. Justification to program;
  - c. Cost benefit; and
  - d. Budget.

## Non-Reimbursed Training Sites

1. Applicants must complete application form TSS 96 and submit all necessary documentation noted on the form.
2. The application for training site licenses must include the following:
  - a. The address and detailed description of the facility or facilities where the course will be conducted;
  - b. The name, address, federal identification number, and telephone number of the agency, organization, school, institution of higher education, partnership, or corporation organized as a training site;
  - c. The name, addresses, social security number, and telephone number of the individual who is authorized to obligate the training site;
  - d. The names, addresses, social security numbers, and telephone numbers of the administrator and the instructors;
  - e. A planned course schedule including course type, dates, and hours of course conduct;
  - f. The projected number of students to be trained in the program during the calendar year;
  - g. Detailed specifications of the curricula intended for use;
  - h. Verification of adequate insurance coverage to protect both the Commonwealth and the training site and all instructors, aides, and participants in any course conducted under the program, including the following:
    - i. Minimum employer's liability - \$100,000;
    - ii. Minimum commercial general liability - \$500,000 combined single limit;
    - iii. Minimum automobile liability - \$500,000 combined single limit; and
    - iv. Workers' compensation insurance in accordance with Va. Code § 2.2-4332 and Chapter 8 (Va. Code § 65.2-800 *et seq.*) of Title 65;
  - i. Verification of proper safety equipment and a sufficient number of training motorcycles for novice rider courses;
  - j. Verification that the designated classrooms, ranges, and motorcycle and equipment storage areas are available for all training courses offered by the training site and that they comply with all necessary zoning, health, and safety codes;
  - k. Criminal background checks on all corporate officers, owners, administrators and all individuals authorized to obligate the training site criminal background checks must be from Virginia State Police or an FBI approved channeler from this website <https://www.fbi.gov/services/cjis/compact-council/list-of-approved-channelers> ; and
  - l. A statement as to the ability and willingness of the applicant to meet all requirements set forth in the Virginia Code.

3. Any applicant denied a license will, on his or her written request made within 30 days of the Commissioner's action, be given a hearing at a time and place determined by the Commissioner or his or her designee. All hearings under this section are public and will be held as soon as practicable, but in no case later than 30 days from receipt of the hearing request. The applicant may be represented by counsel. Any applicant denied a license may not apply again for the same type of license for 180 calendar days from the date of denial of the application.

### Other Training Site Obligations

1. Each training site must possess or have access to the use of all classroom, range, storage facilities, and equipment. A training site's facilities and equipment must be approved by DMV and include the following:
  - a. A classroom for the presentation of the off-cycle instructional portion of the novice, experienced, and sidecar and three-wheeled motorcycle rider courses;
  - b. A paved range area for the on-cycle portion of the novice, experienced rider, and sidecar and three-wheeled motorcycle courses consistent with the minimum range requirements established by the DMV-approved curriculum used in the course;
  - c. For those agencies, organizations, businesses and individuals that apply to receive reimbursement, adequate storage to protect motorcycles and equipment from vandalism, theft, and environmental damage;
  - d. Audio-visual equipment; and
  - e. Fire extinguisher and first aid kit.
2. Training sites will contact the DMV Motorcycle Program Manager to obtain course books, course completion certificates (TSS 97), other site specific items and other DMV forms.
3. Training sites are responsible for verifying that all participants are eligible for enrollment in a course under the program, based on the following:
  - a. Persons enrolling in a novice rider course must (i) possess a valid learner's permit or valid driver's license; (ii) have written parental or guardian permission if under the age of 18 years of age; and (iii) be physically able to balance and operate a motorcycle.
  - b. Persons enrolling in an experienced rider course must (i) possess a valid driver's license endorsed for motorcycle operation; (ii) have written parental or guardian permission if under the age of 18; (iii) use a motorcycle that may lawfully be operated on the highways of the Commonwealth during course training; and (iv) have valid proof of ownership of such motorcycle, or have its owner's written permission to use it and valid proof of insurance.

- c. Persons enrolling in a sidecar and three-wheeled motorcycle course must (i) possess a valid learner's permit or a valid driver's license; (ii) have written parental or guardian permission if under the age of 18; (iii) use a sidecar rig or three-wheeled motorcycle that may lawfully be operated on the highways of the Commonwealth during course training; and (iv) if providing their own sidecar rig or three-wheeled motorcycle, have valid proof of ownership of such sidecar rig or three-wheeled motorcycle, or have its owner's written permission to use it and valid proof of insurance.
4. The training site must issue a DMV-approved certificate of completion to each participant who successfully completes a course in the program.
5. Approved training sites must provide the following information to DMV for each course within 20 business days of course completion through online reporting system (TREDS).
  - a. The type of course and date of completion;
  - b. The name, address, driver's license number, and certification number of each instructor;
  - c. The name, address, driver's license number, and date of birth of all participants enrolled in each course; and
  - d. The course completion status of each participant.
6. Training sites must (i) retain a copy of each participant's waiver form and original course evaluation form and (ii) establish and maintain records of course administration, including the information outlined in subsection 5 of this section, for a three-year period following the course completion. DMV may audit course records, and monitor and evaluate any and all aspects of a training site's operation.
7. Training sites must separate the course fee stated on the license agreement from other fees charged by the training site.
8. Training sites must submit a schedule of classes by December 15<sup>th</sup> for upcoming year.
9. Training sites will be evaluated based on the number of classes conducted. DMV will then review reimbursements and make adjustments as necessary.
10. The location of training sites must be in accordance with DMV's administrative districts and no training site may change its location without written DMV approval.
11. No license may be transferred or assigned as a result of any change in (i) the individual who is authorized to obligate the training site, (ii) ownership or (iii) officers in a corporation or other business entity without the written approval of DMV. Such approval is based on the licensing requirements established by DMV.

12. Training sites must ensure that instructors maintain the minimum qualifications and meet any other instructor requirements established in Virginia Code or otherwise established by DMV. DMV may terminate a training course if it finds an instructor in violation of any provision of Va. Code § 46.2-1188 *et seq.*

### **License Renewal**

All applicants for renewed licenses must complete application form TSS 96 at least 30 days prior to the license expiration date. DMV will review and respond to such application within 30 days unless additional information is requested by DMV. Any applicant denied a license will, on his or her written request made within 30 days of the Commissioner's action, be given a hearing at a time and place determined by the Commissioner or his or her designee. All hearings under this section will be public and will be held as soon as practicable, but in no case later than 30 days from receipt of the hearing request. The applicant may be represented by counsel. Any applicant denied a license may not apply again for the same type of license for 180 calendar days from the date of denial of the application.

In addition to the TSS 96 and the required documentation, license renewal applications must include the following:

1. Overall program budget (only required for reimbursed sites);
2. Total cost of the training to the student;
3. Amount of funds requested from the DMV Motorcycle Program (only required for reimbursed sites);
4. Number of students expected to be trained for each year of license;
5. Use of approved curricula and course books;
6. Condition and safety of required equipment, facilities, including classroom, storage areas, and range;
7. Condition of motorcycles and helmets;
8. Statutorily required insurance; and
9. Statement as to the ability and willingness of the applicant to meet all requirements set forth in the license application.

### **Rider Coaches**

Training sites may only employ instructors that have completed the appropriate applications and meet the following minimum qualifications:

1. Have a current, valid driver's license, endorsed for motorcycle operation, that is neither suspended, revoked, cancelled, nor under probation, with less than six demerit points in a 12-month period and no conviction for any of the offenses enumerated in subsection E of Va. Code § 18.2-270;



2. Be a valid training course instructor, as approved by DMV, which includes:
  - a. Attending all required program clinics offered by DMV that provide continuously updated course instructor and motorcycle safety education;
  - b. Conducting themselves in a professional manner, including, but not limited to, using appropriate language and having interactions with participants and others involved in the course that are free from threat and intimidation;
  - c. Avoiding putting course participants or others associated with course instruction in physical danger during periods of instruction through the use of appropriate instruction techniques and methods; and
  - d. Complying with other requirements specified in Virginia law or otherwise established by DMV;
3. Teach a minimum of 4 Basic Rider Courses per year, attend 2 different Professional Development Workshops; and
4. Notify DMV of any change in status on the website at [www.vrtp.org](http://www.vrtp.org).

These requirements do not apply to those persons who are valid training course instructors prior to being stationed outside the United States, during the period of such person's service, if any, in the armed services of the United States, and 60 days thereafter. However, temporary exemptions may not exceed five years. Any person who receives a temporary exemption must provide documentary or other proof that he or she is entitled to the exemption, and is required to meet the requirements prior to being eligible to provide course instruction.

### **Ranges**

Approved training sites must have access to a paved range area for the on-cycle portion of the novice, experienced rider, and sidecar and three-wheeled motorcycle courses that is consistent with the minimum range requirements established by DMV-approved curriculum used in the course. The training site must have a current Rider Education Recognition Program ("RERP") number for the training range from the Motorcycle Safety Foundation ("MSF"). For more information on how to obtain a RERP, please refer to [www.msf-usa.org](http://www.msf-usa.org).

### **Motorcycles**

In compliance with Code of Virginia 46.2-1190.2.B, the training center shall be responsible for procuring and providing a minimum of one motorcycle per student. Each such motorcycle shall be of a type that may lawfully be operated on the highways of the Commonwealth and, subject to the provisions of subsection D of that Code meets two of the following three criteria: (i) an engine displacement of no more than 500 cubic centimeters, (ii) a weight of less than 400 pounds, and (iii) a seat height of 30 inches or less.

Each participant in the experienced rider course shall provide a motorcycle for use in the course. One sidecar rig or three-wheeled motorcycle, provided by either a participant or the training

center, shall be required for use by every two students in the sidecar and three-wheeled motorcycle course.

All motorcycles used in course instruction must display a current Virginia state inspection decal and be checked by the instructors prior to use in any training course to insure the motorcycle is functioning properly.

### **Completion Certificates**

All licensed sites will be provided DMV Completion Certificates for the Basic Rider Course and copies of those completion certificates must be kept on location at the training site. The certificates must include the students' names (last, first, middle initial, birth date), school name, school code, course completion date, and be signed by the rider coach. The certificate must have the correct school code or the certificate will not be processed by DMV.

### **Retesting of Skill and Knowledge Evaluations**

Because DMV provides a 30 day provisional motorcycle license, there will be no retesting of the skill or knowledge test. The student is required to attend another course.

### **Rider Coach Preparation Course**

All rider coach preparation courses will be organized, coordinated and approved through the DMV. All course documentation will be sent to the DMV Motorcycle Safety Program Manager. The documentation must include the Student Information Form 90A, which must be filled out by all students attending the course.

## **Penalties and Remedies for Violations of License Requirements**

1. DMV will impose the following penalties on any training site for violations of the requirements established by DMV:
  - a. Limit the type of instruction provided by the training site;
  - b. Suspend or revoke the license of the training site;
  - c. Impose a civil penalty; or
  - d. Impose any combination of the penalties set forth in this subsection.
2. When violations occur that are not found by DMV to pose a threat to the health, safety or welfare of the public or the course participants, instructors or others associated with the course, DMV will (i) notify the training site of the violations that have occurred, (ii) direct corrective action to be completed by the training site within 30 calendar days, and (iii) require a formal written response documenting that corrections have been made as directed. Such violations are typically associated with, but not limited to, training site administration and operations. If corrections are not completed as directed, DMV will notify the training site and may impose any or all of the sanctions set forth in subsection 1 of this section. Such penalties will continue until all required corrections are made and DMV receives formal documentation confirming compliance.
3. DMV will suspend the license of any training site that receives three or more notices under subsection 2 within any 12-month period. Such suspensions will be for an initial 90-day period and will continue until all required corrections are made and DMV receives formal documentation confirming compliance.
4. When violations occur that are found by DMV to pose a threat to the health, safety or welfare of the public or the course participants, instructors or others associated with the course, DMV will (i) notify the training site of the violations that have occurred and immediately limit all types of instruction provided by the training site, (ii) direct corrective action to be completed by the training site within 30 calendar days of receipt of notice of such violations and (iii) will require a formal written response documenting that corrections have been made as directed. If corrections are not completed as directed, DMV will suspend the license of the training site and impose a civil penalty. The period of such license suspension will continue until all required corrections are made and DMV receives formal documentation confirming compliance. If the required corrections are not made within 30 calendar days of the suspension, DMV will revoke the license.
5. Once a training site license is revoked, DMV will not renew or reissue the license until (i) it receives formal documentation confirming compliance with the required corrective actions, and (ii) the training site applies for renewal or reissuance. Such training sites are not eligible to apply for a license again until 180 calendar days after DMV receives formal documentation confirming compliance with the required corrective actions.
6. Notice of an order suspending or revoking a license, imposing a limitation on training site operations or imposing a civil penalty, and advising the licensee of the opportunity for a

hearing as a result of such order, will be in writing and mailed to the licensee by registered mail to the training site address as shown on the most recent licensee's application for license and will be considered served when mailed. Upon receipt of a request for a hearing appealing the order, the licensee will have the opportunity for a hearing as soon as practicable, but in no case later than 30 days from receipt of the hearing request. The order will remain in effect pending the outcome of the hearing.

### **License Denial, Suspension, and Revocation**

A training site's license may be denied, suspended, or revoked based on any one or more of the following grounds, where applicable:

1. Material misstatement or omission in application for license;
2. Failure to comply subsequent to receipt of a written notice from DMV or any willful failure to comply with a lawful order, any provision of this article, or any term, condition, or restriction of a license;
3. Failure to comply with zoning or other land use regulations, ordinances, or statutes;
4. Use of deceptive business acts or practices;
5. Knowingly advertising by any means any assertion, representation, or statement of fact that is untrue, misleading, or deceptive relating to the conduct of the business for which a license is held or sought;
6. Having been found, through a judicial or administrative hearing, to have committed fraudulent or deceptive acts in connection with the training site for which a license is held or sought, or any consumer-related fraud;
7. Having been convicted of any criminal act involving the training site for which a license is held or sought;
8. Improper assignment, lending, or otherwise allowing the improper use of a license;
9. Any corporate officer, owner, administrator and any individual authorized to obligate the training site having been convicted of a felony;
10. Any corporate officer, owner, administrator and any individual authorized to obligate the training site having been convicted of any misdemeanor involving lying, cheating, stealing, or moral turpitude;
11. Failure to furnish DMV information, documentation, or records required or requested pursuant to this article;

12. Knowingly and willfully filing any false report, account, record, or memorandum;
13. Willfully altering or changing the appearance or wording of a training site license or a course completion certificate;
14. Failure to provide services in accordance with the terms, limitations, conditions, or requirements of the license; or
15. Failure to comply with other state and federal requirements relating to training site operations.