

AMENDMENT NO. _____ Calendar No. _____

Purpose: To modify the eligibility requirements for motorcyclist safety grants under section 2010 of SAFETEA-LU.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

S. 1449

To authorize the appropriation of funds for highway safety programs and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LAUTENBERG

Viz:

1 Strike section 110 and insert the following:

2 **SEC. 110. MOTORCYCLIST SAFETY.**

3 Section 2010 of SAFETEA-LU (Public Law 109-
4 59; 23 U.S.C. 402 note) is amended—

5 (1) in subsection (e), by striking “2003” and
6 inserting “2009”;

7 (2) by striking subsections (d) through (g) and
8 inserting the following:

9 “(d) GRANT ELIGIBILITY.—

10 “(1) STATES WITH UNIVERSAL MOTORCYCLE

11 HELMET USE LAW.—Any State that has a law re-

1 quiring all motorcycle operators and passengers to
2 wear helmets meeting Federal Motor Vehicle Safety
3 Standard (FMVSS) 218 shall be eligible for a grant
4 under this section in a fiscal year if the State—

5 “(A) had fewer motorcycle fatalities or
6 fewer crashes involving motorcycles in the most
7 recent year compared to the prior year;

8 “(B) has an impaired riding communica-
9 tion and enforcement program;

10 “(C) had fewer impaired motorcycle fatali-
11 ties or fewer reported crashes involving im-
12 paired motorcyclists in the most recent year
13 compared to the prior year;

14 “(D) had fewer fatalities involving improper-
15 ly licensed motorcyclists or fewer reported
16 crashes involving improperly licensed motorcy-
17 clists in the most recent year compared to the
18 prior year; or

19 “(E) has motorcycle rider training courses
20 throughout the State.

21 “(2) STATES WITHOUT UNIVERSAL MOTOR-
22 CYCLE HELMET USE LAW.—Any State that does not
23 have a law described in paragraph (1) shall be eligi-
24 ble for a grant under this section—

1 “(A) in fiscal years 2012 and 2013, by sat-
2 isfying at least 2 of the criteria set forth in sub-
3 paragraphs (A) through (E) of paragraph (1);
4 and

5 “(B) in fiscal year 2014 and each suc-
6 ceeding fiscal year by satisfying at least 3 of
7 the criteria set forth in subparagraphs (A)
8 through (E) of paragraph (1).

9 “(e) USE OF GRANT AMOUNTS.—

10 “(1) MOTORCYCLE RIDER TRAINING ACTIVI-
11 TIES.—Not more than 50 percent of the grant funds
12 received by a State under this section in a fiscal
13 year may be used to fund motorcycle rider training
14 activities.

15 “(2) MOTORCYCLE HELMET PROMOTION.—Any
16 State that does not have a law described in sub-
17 section (d)(1) shall use at least 50 percent of the
18 grant funds received by the State under this section
19 in a fiscal year to promote the use of motorcycle hel-
20 mets meeting FMVSS 218, which sets minimum
21 performance requirements for helmets designed for
22 use by motorcyclists and other motor vehicle users.

23 “(3) REMAINING AMOUNTS.—Grant funds re-
24 ceived by a State under this section that are not

1 used for the activities described in paragraph (1)
2 may only be used—

3 “(A) to promote the increased use of mo-
4 torcycle helmets meeting FMVSS 218;

5 “(B) to increase communication and en-
6 forcement efforts to reduce impaired riding;

7 “(C) to reduce the number of improperly
8 licensed motorcyclists;

9 “(D) to link State motorcycle data, includ-
10 ing data regarding licensing, registration,
11 crashes, education, or training, with hospital
12 data related to motorcycle traffic crash injuries
13 or traffic citations;

14 “(E) to promote a State motorcycle rider
15 training program, including course promotion,
16 instructor development, mobile training units,
17 training equipment, and efforts to update mo-
18 torcycle safety training curricula;

19 “(F) to implement a graduated driver li-
20 censing system for novice motorcycle operators;
21 or

22 “(G) to implement communication and en-
23 forcement programs to reduce speeding and
24 reckless riding.

25 “(f) DEFINITIONS.—In this section:

1 “(1) MOTORCYCLE RIDER TRAINING.—The
2 term ‘motorcycle rider training’ means a formal pro-
3 gram of instruction that is approved for use in a
4 State by the designated State authority having juris-
5 diction over motorcyclist safety issues, which may in-
6 clude the State motorcycle safety administrator or a
7 motorcycle advisory council appointed by the Gov-
8 ernor of the State.

9 “(2) STATE.—The term ‘State’ has the mean-
10 ing given such term in section 101(a) of title 23,
11 United States Code”.