

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 85.1

REVISED MAY 2015

MOTORCYCLE CERTIFICATE OF COMPETENCE

1. PURPOSE. The purpose of this General Order is to establish departmental policy with respect to the issuance of a certificate of competence as allowed in Section 12804.9(f) of the California Vehicle Code (CVC).

2. BACKGROUND.

a. Section 12804.9(a)(1) CVC requires two components before the Department of Motor Vehicles (DMV) will issue a class M1 or M2 driver license endorsement; 1) that operators successfully pass a written test; and 2) that operators successfully pass a riding skills test.

b. Sections 12804.9(f) and 12804.9(g) CVC allow DMV to waive the skills test for individuals who meet certain requirements. Section 12804.9(f) CVC allows the DMV to accept a certificate of competence issued by a law enforcement agency for its officers who operate class M vehicles in the performance of their duties in lieu of the skills test. Section 12804.9(g) CVC allows DMV to waive the skills test for an individual who submits a certificate of competence issued by a novice motorcyclist training program approved by the Commissioner of the California Highway Patrol (California Motorcyclist Safety Program).

c. It has come to the Department's attention that there may be some misunderstanding regarding Section 12804.9(f) CVC. The intent of this section is to allow a law enforcement agency that employs motorcycle officers to submit a certification of competence for officers that have received proper motorcycle training, and have demonstrated they possess the necessary skills to safely operate a motorcycle.

d. Based upon Section 12804.9(f) CVC, DMV will waive the skills test for an individual who is employed by a law enforcement agency when the law enforcement agency submits a letter on agency letterhead stating that an individual is employed by the agency and has received proper motorcycle training, and has demonstrated the necessary skills to safely operate a motorcycle.

3. POLICY. Members of this Department below the rank of Assistant Commissioner **shall not** issue a letter of competence stating that an employee is qualified to operate class M vehicles. In the rare event a valid reason exists where a letter of competence is deemed suitable, a request shall be made through channels to the appropriate Assistant Commissioner for approval and signature. Any inquiries or questions should be directed to Special Projects Section at (916) 843-3370.

OFFICE OF THE COMMISSIONER

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