

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE PATROL
RULES AND REGULATIONS CONCERNING
THE MOTORCYCLE OPERATOR SAFETY TRAINING
(MOST) PROGRAM**

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

As amended by Colorado SB 17-243 and codified as §43-5-502.5, CRS, the rights, powers, duties, and obligations of the Colorado Motorcycle Operator safety Training (MOST) Program transferred to the Chief of the Colorado State Patrol (CSP) from the Colorado Department of Transportation (CDOT), effective January 1, 2018. The CSP adopted new rules affecting the administration and regulation of the MOST Program consistent with this authority in August 2018.

The CSP seeks to amend the MOST rules following both program and administrative rule reviews and in response to statutory changes arising out of the 2020 General Legislative Session having an impact upon the MOST Program. The CSP is proposing amendments to 8 CCR 1507-56, the MOST Program Rules:

- Clarifying CO MOST Program Instructor and CO MOST Program Vendor Requirements;
- Introducing CO MOST Instructor standards specific to the operation of the MOST Program within Colorado;
- Updating existing definitions and introducing new definitions, standardizing references throughout these rules addressing results of statutory changes and clarifying the scope and use of CO MOST Program terms and verbiage;
- Updating information related to CO MOST Program Instructor applications, eligibility, and maintenance;
- Clarifying procedure applicable to the review of CO MOST Course applications and approvals; and
- Confirming that all MOST Vendors and Instructors participating in the CO MOST Program and providing or delivering any MOST Courses within Colorado must comply with all applicable terms, conditions, standards, and requirements established by these rules, the CO MOST PNP, applicable CO MOST Program approved Courses, and applicable state statutes.

The General Assembly has determined that the promotion of Motorcycle safety and awareness benefits the preservation of the public peace, health, and safety. The General Assembly has further declared that the support of safety courses designed to instruct Motorcycle operators and instructors is critical to the success of this goal. For this reason and other enumerated within the statute authorizing the CO MOST Program, it is necessary for these proposed rules and changes thereto to be adopted.

**Colonel Matthew C. Packard, Chief
Colorado State Patrol**

Date of Adoption

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1. AUTHORITY

- 1.1. Pursuant to §43-5-502.5(2), CRS, the Chief of the Colorado State Patrol is authorized to adopt rules necessary for the administration of the MOST Program. Pursuant to **CONSISTENT WITH** §43-5-502 (1) (a) (III) (c), CRS, the Chief **OF THE COLORADO STATE PATROL** has authority to designate a program coordinator to implement and administer the MOST Program.
- 1.2. Pursuant to §43-5-502 (1) (a) (III) (d), **CRS**, rules necessary to carry out the MOST Program may be adopted **CONSISTENT WITH** ~~pursuant to~~ Article 4 of Title 24, CRS.

2. APPLICABILITY

- 2.1. These rules ~~shall~~ apply to all persons who operate as MOST Program Vendors, MOST Program Instructors, MOST Program Instructor Trainers, MOST Program students, and the MOST Program **IN GENERAL**, as it operates within ~~this state~~ **COLORADO**.

3. GENERAL DEFINITIONS

- 3.1. With respect to these rules, the following definitions are applicable **THROUGHOUT** unless otherwise indicated:
 - 3.1.1. *“Administrative Expenses”* means expenses related to **COLORADO** MOST Program salaries, related benefits, and operating costs. Administrative operating costs ~~will~~ include:
 - 3.1.1.1. Daily administrative costs incurred by the **COLORADO MOST** Program **ADMINISTERED THROUGH THE COLORADO STATE PATROL, INCLUDING COPYRIGHT REVIEW OF MOST COURSES SUBMITTED FOR CONSIDERATION TO THE CO MOST PROGRAM;**
 - 3.1.1.2. Travel costs for business travel by MOST Program staff related to supporting the **COLORADO** MOST Program;
 - 3.1.1.3. Purchasing or leasing of capital equipment by ~~CDPS~~ **COLORADO STATE PATROL MOST PROGRAM** staff for the **COLORADO** MOST Program **THAT ARE** not otherwise secured by a Purchase Order, **AGREEMENT**, or contract;

3.1.1.4. Office supplies;

3.1.1.5. In-office printing, copying, form reproduction; and

3.1.1.6. Tuition and/or registration costs for MOST Program personnel attending activities related to the support or administration of the **COLORADO MOST Program**.

3.1.2. *“Advanced Rider Course (ARC)”* means any ~~m~~Motorcycle training course, other than a ~~BRC~~ **BEGINNER OR INTERMEDIATE MOTORCYCLE INSTRUCTION COURSE**, designed to improve upon existing knowledge, attitudes, habits, and skills of licensed ~~m~~Motorcycle riders, necessary for the safe operation of a Motorcycle.

3.1.3. *“Advisory Board”* means the Motorcycle Operator Safety Advisory Board (**MOSAB**) established pursuant to §43-5-505, CRS.

3.1.4. *“APPROVED BEGINNER/INTERMEDIATE MOST COURSE”* ~~“Basic Rider Course (BRC)”~~ means a Motorcycle instruction course **APPROVED BY THE CO MOST PROGRAM** designed to develop **THE** knowledge, attitudes, habits, and skills necessary for the safe operation of a Motorcycle. ~~To~~ **TO** qualify, a ~~BRC~~ **BEGINNER OR INTERMEDIATE COURSE** provided by a **CO MOST PROGRAM** Vendor must teach the requirements for issuing a course completion card which can be used to obtain a driver’s license motorcycle endorsement. ~~Successful completion of a BRC may be used to obtain a motorcycle endorsement from the Colorado Department of Revenue (CDOR).~~

3.1.5. *“BEST PRACTICES”* **MEANS GUIDELINES, IDEAS, OR TECHNIQUES CONFIRMED THROUGH APPLICABLE RESEARCH AND/OR RELEVANT PROFESSIONAL EXPERIENCE REPRESENTING ALTERNATIVE, APPLICABLE, PRACTICAL, AND PRUDENT PRACTICES AND METHODOLOGY PROMOTING EFFECTIVE AND RELIABLE RESULTS.** ~~“CDOR” means the Colorado Department of Revenue.~~

3.1.6. *“CDOR”* means the Colorado Department of Revenue. ~~“CDOT” means the Colorado Department of Transportation.~~

3.1.7. *“CDOT”* means the Colorado Department of Transportation. ~~“CDPS” means the Colorado Department of Public Safety.~~

3.1.8. *“CDPS”* means the Colorado Department of Public Safety. ~~“Chief” means the Chief of the Colorado State Patrol.~~

3.1.9. *“CERTIFICATION”* **MEANS OFFICIAL RECOGNITION, AFFIRMATION, OR APPROVAL OF STATUS THAT MAY BE EXPRESSED INTERCHANGEABLY AND TO THE SAME EFFECT WITHIN THESE RULES AS THE CERTIFICATION, RECOGNITION, AFFIRMATION OR APPROVAL OF THE SAME. AS APPLIED THROUGHOUT THESE RULES, CERTIFICATION IS OFFICIAL RECOGNITION, AFFIRMATION, OR APPROVAL OF A MOST VENDOR, INSTRUCTOR, OR COURSE AS A CO MOST RECOGNIZED, AFFIRMED, OR APPROVED VENDOR, INSTRUCTOR, OR COURSE, BY THE CO MOST PROGRAM. SPECIFICALLY:**

3.1.9.1. CERTIFICATION OF A COURSE IS THE OFFICIAL RECOGNITION, AFFIRMATION, OR APPROVAL OF A MOST MOTORCYCLE EDUCATION COURSE THAT HAS BEEN SUBMITTED TO MOST FOR EVALUATION AND HAS RECEIVED WRITTEN APPROVAL FOR USE AS A MOTORCYCLE LICENSE WAIVER ENDORSEMENT CLASS MEETING ALL APPLICABLE STATUTORY REQUIREMENTS AND IS CONSISTENT WITH THESE RULES.

3.1.9.2. CERTIFICATION OF AN INSTRUCTOR IS THE OFFICIAL RECOGNITION, AFFIRMATION, OR APPROVAL OF A MOST INSTRUCTOR WHO HAS APPLIED TO PERFORM AS A MOST COURSE INSTRUCTOR IN COLORADO FROM THE CO MOST PROGRAM. TO RECEIVE CERTIFICATION, RECOGNITION, AFFIRMATION, OR APPROVAL, A MOST INSTRUCTOR MUST MAINTAIN COMPLIANCE WITH APPLICABLE CO MOST PROGRAM APPROVED COURSE REQUIREMENTS, STATUTES, AND THESE RULES.

3.1.9.3. CERTIFICATION OF A VENDOR IS THE OFFICIAL RECOGNITION, AFFIRMATION, OR APPROVAL OF A MOST VENDOR WHO SEEKS TO ENTER INTO AGREEMENT WITH THE CO MOST PROGRAM TO SUPPORT CO MOST PROGRAM COURSE INSTRUCTION. TO RECEIVE CERTIFICATION, RECOGNITION, AFFIRMATION, OR APPROVAL, A MOST VENDOR MUST AGREE TO OPERATE CONSISTENT WITH THE TERMS AND CONDITIONS OF THE CO MOST VENDOR-PROGRAM AGREEMENT, APPLICABLE STATUTES, AND THESE RULES.

3.1.10. *“Chief”* means the Chief of the Colorado State Patrol. AS MAY BE APPROPRIATE AND AS IS CONSISTENT WITH CSP AND CDPS POLICY, “CHIEF” ALSO INCLUDES THE DESIGNEES OF THE CHIEF. ~~“CSP” means the Colorado State Patrol.~~

3.1.11. *“CLASSROOM”* MEANS A DESIGNATED AREA OR AREAS OR SPACE, VIRTUAL OR PHYSICAL, USED FOR THE PURPOSE OF CO MOST PROGRAM APPROVED COURSE ACADEMIC TRAINING AND INSTRUCTION. ~~“Contract Expenses” means expenses incurred by the MOST Program directly related to a contract or Purchase Order issued to a third party, expenses incurred to promote the MOST Program, and expenses related to program evaluation.~~

3.1.12. *“COMPLETE CO MOST COURSE”* MEANS A CO MOST PROGRAM APPROVED COURSE CONSISTING OF ACADEMIC INSTRUCTION, RANGE COURSE TRAINING, AND SKILLS DEVELOPMENT FOR THE PURPOSES OF MEETING INSTRUCTOR APPROVAL REQUIREMENTS SET FORTH WITHIN THESE RULES. TO RECEIVE CREDIT TOWARDS THE ANNUAL CO MOST INSTRUCTOR COURSE INSTRUCTION REQUIREMENT OF THREE CO MOST PROGRAM APPROVED COURSES, A CO MOST INSTRUCTOR MUST INSTRUCT THREE COMPLETE CO MOST PROGRAM APPROVED COURSES OR EQUAL OPPOSITE HALVES OF SIX CO MOST PROGRAM APPROVED COURSES. ~~“Eligible Student” means any person who enrolls in a MOST Course or MOST Instructor Training Course and: 3.1.11.1. Is a resident of Colorado holding a valid driver’s license, a minor driver’s license, or instruction permit as authorized by §42-2-106, CRS; or 3.1.11.2. Is a member of the armed forces~~

~~having moved to Colorado consequent to a permanent change of station basis, holding a valid driver's license from another state; or 3.1.11.3. Is an adult holding a valid driver's license from another state that is eligible for a motorcycle license in that same state.~~

3.1.13. ~~"COURSE COMPLETION CARD" MEANS THE CERTIFICATE OR CARD ISSUED TO A STUDENT UPON THE SUCCESSFUL COMPLETION OF A CO MOST PROGRAM APPROVED COURSE. THIS CARD OR CERTIFICATE MUST INCLUDE THE COURSE NAME, A LEGIBLE COURSE INSTRUCTOR SIGNATURE, THE DATE OF CARD OR CERTIFICATE ISSUE, THE COMPLETE NAME OF THE STUDENT AS IT APPEARS ON THE STUDENT'S STATE DRIVER'S LICENSES OR IDENTIFICATION CARD, AND MUST DISPLAY A UNIQUE, IDENTIFYING SERIAL OR CARD/CERTIFICATE ISSUE NUMBER.~~ *"Instructor Professional Development Workshop (PDW)" means an instructor training education activity designed to improve knowledge, attitudes, habits, and skills of MOST instructors to improve and update the quality of MOST Courses consistent with best practices.*

3.1.14. *"Contract Expenses" means expenses incurred by the COLORADO MOST Program directly related to a contract, AGREEMENT, or purchase order issued to a third-party; expenses incurred to promote the MOST Program; and expenses RELATED TO THE OPERATION OF THE COLORADO MOST PROGRAM. "CSP" means the Colorado State Patrol.*

3.1.15. ~~3.1.9.~~ *"CSP" means the Colorado State Patrol.*

3.1.16 ~~3.1.11.~~ *"Eligible CO MOST COURSE Student" means any person who enrolls in a CO MOST Course or MOST Instructor Training Course and:*

~~*"Motorcycle Operator Safety Training (MOST) Program" means the safety training program created pursuant to §43-5-501, et. Seq., CRS. As used within these rules, MOST Program, MOST, Program, and Motorcycle Operator Safety Training Program are used interchangeably and to the same effect.*~~

3.1.16.1. ~~3.1.11.1.~~ *Is a resident of Colorado holding a valid driver's license, a ~~Minor~~ MinorS' (AGE-RESTRICTED, UNDER 21-YEARS OF AGE) driver's license, VALID STATE ID, or instruction permit, as authorized by §42-2-106, CRS; or*

3.1.16.2. ~~3.1.11.2.~~ *Is a member of the armed forces having moved to COLORADO consequent to a permanent change of station basis, holding a valid driver's license issued by another state; or*

3.1.16.3. ~~3.1.11.3.~~ *Is an adult holding a valid driver's license from another state AND is eligible for a ~~M~~motorcycle license OR ENDORSEMENT in that same state.*

3.1.17. *“ELIGIBLE CO MOST INSTRUCTOR TRAINING COURSE STUDENT”* MEANS ANY PERSON WHO ENROLLS IN AN COLORADO MOST PROGRAM APPROVED INSTRUCTOR TRAINING COURSE AND:

“MOST Course” means any BRC or ARC officially recognized and approved by the MOST Program.

3.1.17.1. IS A RESIDENT OF COLORADO HOLDING A VALID MOTORCYCLE-ENDORSED DRIVER’S LICENSE AS PROVIDED BY §42-2-106, CRS; OR

3.1.17.2. IS A MEMBER OF THE ARMED FORCES HAVING MOVED TO COLORADO SUBSEQUENT A PERMANENT CHANGE OF STATION BASIS, HOLDING A VALID DRIVER’S LICENSE ISSUED BY ANOTHER STATE.

3.1.18. ~~**3.1.12.**~~ *“Instructor Professional Development Workshop (PDW)”* means a training educational activity designed to improve knowledge, attitudes, habits, and skills of CO MOST Instructors to improve and update the quality of CO MOST PROGRAM APPROVED Courses consistent with best practices. *“MOST Fund”* means the fund authorized by §43-5-504, CRS.

3.1.19. *“LEAP YEAR”* MEANS A CALENDAR YEAR RUNNING FROM JANUARY 1ST THROUGH DECEMBER 31ST, HAVING 29 DAYS IN FEBRUARY AND OCCURRING ONCE EVERY FOUR (4) CALENDAR YEARS. *“MOST Instructor,” “MOST Program Instructor” or “Instructor”* means an individual satisfying the same requirements of these rules, in good standing with the state MOST Program requirements, certified or affirmed by the CSP to teach MOST Courses.

3.1.20. ~~**3.1.13.**~~ *“Mobile Training”* means the transport to and FROM AND THE setting up of all CO MOST Program APPROVED training, including equipment, personnel, and classroom materials at Temporary Training Sites to provide training in under-served areas of the state not having Training Sites or providing CO MOST Program APPROVED Courses or MOST Instructor Training Courses. *“MOST Instructor Trainer”* means an individual satisfying the requirements of these rules, in good standing with the state MOST Program requirements, certified or affirmed by the CSP to prepare MOST Instructors to teach MOST Courses. MOBILE TRAINING ALSO MEANS TRAINING PROVIDED BY A CO MOST PROGRAM CERTIFIED- VENDOR AT TWO OR MORE TEMPORARY TRAINING SITES WITH THE EXCEPTION THAT A CO MOST PROGRAM CERTIFIED VENDOR MAY PROVIDE MOBILE TRAINING USING A SINGLE TEMPORARY TRAINING SITE DURING THE FIRST YEAR IT PROVIDES MOBILE TRAINING.

3.1.21. ~~**3.1.14.**~~ *“MOST COURSE” OR “CO MOST APPROVED COURSE”* means any BRC BEGINNER OR INTERMEDIATE MOST COURSE officially recognized and approved by the CO MOST Program. *“MOST Program Coordinator” or “Program Coordinator”* means the individual to whom the Chief has delegated responsibility of the management of the MOST Program.

- 3.1.22.** ~~3.1.16.~~ “MOST Fund” OR “CO MOST FUND” means the fund authorized by §43-5-504, CRS. “MOST Program Office” means the main office for the MOST Program located at the CSP.
- 3.1.23.** ~~3.1.17.~~ “MOST Instructor,” “MOST Program Instructor,” “CO MOST INSTRUCTOR,” “CO MOST PROGRAM INSTRUCTOR” OR “Instructor” means an individual, satisfying APPLICABLE requirements of these rules, WHO IS in good standing with the CO MOST Program requirements, certified or affirmed by the CSP CO MOST PROGRAM to teach CO MOST PROGRAM APPROVED Courses. “MOST Program Instructor Certification” means the certification provided to a person to operate as a MOST Program Instructor in Colorado by the CSP.
- 3.1.24.** ~~3.1.18.~~ “MOST Instructor Trainer” OR “CO MOST INSTRUCTOR TRAINING CANDIDATE” means an individual satisfying the requirements of these rules, in good standing with the state CO MOST Program requirements, WHO, UPON SUCCESSFUL COURSE COMPLETION, MAY APPLY FOR CERTIFICATION FROM THE CO MOST PROGRAM TO INSTRUCT CO MOST PROGRAM APPROVED COURSES. certified or affirmed by the CSP to prepare MOST Instructors to teach MOST Courses. “MOST Program Vendor Certification” means the certification provided to a person to operate as a MOST Program Vendor in Colorado by the CSP.
- 3.1.25.** ~~3.1.19.~~ “MOST Instructor Training Course” OR “CO MOST PROGRAM APPROVED INSTRUCTOR TRAINING COURSE” means an approved course of instruction which prepares AN INSTRUCTOR CANDIDATE to teach CO MOST PROGRAM APPROVED COURSE(S). “MOST Program Vendor,” “MOST Vendor” or “Vendor” means a person that offers a Motorcycle Operate Safety Program meeting the standards promulgated by the CSP.
- 3.1.26.** ~~3.1.20.~~ “MOST Program Coordinator,” “CO MOST PROGRAM COORDINATOR,” OR “Program Coordinator” means the individual to whom the CHIEF has delegated responsibility of FOR the management ADMINISTRATION of the CO MOST Program. “Motorcycle” means a motor vehicle designed with handlebars or any other similarly connected device to the front wheels of the vehicle to steer.
- ~~3.1.20.1. A Motorcycle defined within these rules will mean a motor vehicle designed to travel with three or less wheels in contact with the ground. 3.1.20.2. For purposes of these rules, a Motorcycle will not include any farm tractor, low-speed electric vehicle, or low-power scooter, as defined within §42-1-102 (55), CRS.~~
- 3.1.27.** ~~3.1.21.~~ “MOST Program Office” OR “CO MOST PROGRAM OFFICE” means the main office for the CO MOST Program located at the CSP. “Person” means an individual, a corporation, a government or governmental subdivision or agency, a partnership, an association, or any other legal entity, with the exception that separate divisions of the same corporation may, at their request, be treated as separate persons.

- 3.1.28.** ~~3.1.22.~~ *“MOST Program Instructor Certification” OR “CO MOST PROGRAM INSTRUCTOR CERTIFICATION”* means the certification provided to a person to operate as a CO MOST Program Instructor ~~in Colorado by~~ FROM the CO MOST PROGRAM CSP. *“Personally Identifiable Information (PII)”* means sensitive, personal information that can be used on its own or with other information to identify, contact, or locate a single person. SEE DEFINITION 3.1.9. OF THESE RULES FOR ADDITIONAL GUIDANCE.
- 3.1.29.** ~~3.1.24.~~ *“MOST Program Vendor,” “MOST Vendor,” “CO MOST PROGRAM VENDOR,” “COLORADO MOST PROGRAM VENDOR,” “CO MOST VENDOR,” OR “Vendor”* means a person that offers MOTORCYCLE TRAINING MEETING APPLICABLE CO MOST PROGRAM REQUIREMENTS SET FORTH, REFERENCED, AND/OR ADOPTED BY THESE RULES. ~~a Motorcycle Operator Safety Program meeting standards promulgated by the CSP.~~ *“Quality Assurance Review (QAR)”* means actions through which the CSP or its agents evaluate the compliance of MOST Program Vendors or MOST Instructors with applicable statutes, these rules, applicable contractual obligations, and MOST Program directives and initiatives.
- 3.1.30.** *“MOST Program Vendor Certification” OR “CO MOST PROGRAM VENDOR CERTIFICATION”* means the certification, AFFIRMATION, RECOGNITION, AND/OR APPROVAL provided to a person to operate as a CO MOST Program Vendor ~~IN COLORADO~~ FROM the CO MOST PROGRAM CSP. SEE DEFINITION 3.1.9. OF THESE RULES FOR ADDITIONAL GUIDANCE. *“Reinstatement”* means the recertification of a MOST Program Vendor, MOST Instructor Trainer or Instructor, by the CSP subsequent to any cancellation, expiration, denial, limitation, suspension, or revocation of a certification consistent with applicable law and these rules.
- 3.1.31.** *“MOTOR VEHICLE RECORD (MVR)” OR “MOTOR VEHICLE OPERATOR” RECORD”* MEANS AN OFFICIAL DOCUMENT PRODUCED BY AN IDENTIFIED STATE GOVERNMENTAL ENTITY DETAILING THE MOTOR VEHICLE OPERATION AND/OR MOTOR VEHICLE OPERATION VIOLATION HISTORY FOR A PERSON ISSUED OR PREVIOUSLY ISSUED A STATE LICENSE TO OPERATE A MOTOR VEHICLE. MAY BE KNOWN BY ANOTHER NAME (I.E., ABSTRACT, DRIVER’S RECORD, ETC.) IN STATES OUTSIDE OF COLORADO. *“Temporary Training Site”* means non-permanent locations at which MOST Courses and MOST Instructor Training Courses are provided for no more than 10 consecutive weeks during any individual state fiscal year. 3.1.30.1. Temporary Training Sites may be used multiple times over a single state fiscal year, but never for more than 10 weeks consecutively. 3.1.30.2. All equipment brought to and set up at a Temporary Training Site must be removed from the Temporary Training Site must be removed from the Temporary Training Site, along with any waste generated, upon completion of any Temporary Training Site period.
- 3.1.32.** ~~3.1.25.1.~~ *“Motorcycle”* means a motor vehicle designed with handlebars or any other similarly connected device to the front wheel(s) of the vehicle to steer.

- 3.1.32.1.** ~~3.1.25.1.~~ A Motorcycle defined within these rules will mean a motor vehicle designed to travel with three or less wheels in contact with the ground.
- 3.1.32.2.** ~~3.1.25.2.~~ For purposes of these rules, a Motorcycle will not include any farm tractor, low-speed electric vehicle, or low-power scooter, as identified within §42-1-102 (55), CRS.
- 3.1.33.** ~~3.1.14.~~ “Motorcycle Operator Safety Training (MOST) Program” OR “CO MOST” means the MOTORCYCLE Safety Training Program created pursuant to §43-5-501, et. seq., CRS. As used within these rules, MOST Program, MOST, CO MOST, Program, and Motorcycle Operator Safety Training Program, are used interchangeably and to the same effect.
- 3.1.34.** ~~3.1.26.~~ “Person” means an individual, a corporation, a government or governmental subdivision or agency, a partnership, an association, or any other legal entity, with the exception that separate divisions of the same corporation may, at their request, be treated as separate persons. ~~“Training Site” means a permanent, non-temporary site for training having at least one MOST Course and classroom facility meeting the requirements of these rules, provided by a MOST Program Vendor.~~
- 3.1.35.** “PNP” OR “CO MOST PNP” MEANS THE CO MOST PROGRAM DOCUMENT AVAILABLE TO THE PUBLIC AND PROVIDED THROUGH THE CO MOST OFFICE, OUTLINING EXPECTATIONS, GUIDELINES, AND REQUIREMENTS FOR CERTIFIED AND PARTICIPATING VENDORS, INSTRUCTORS, STUDENTS, AND CO MOST PROGRAM PARTNERS. THE CO MOST PNP ENCOMPASSES AS PART INFORMATION RELEVANT TO QUALITY ASSURANCE REVIEWS (QARs), SETTING FORTH POLICIES, PROCEDURES AND EXPECTATIONS SUPPORTING QARs CONSISTENT WITH THESE RULES AND CO MOST PROGRAM GOALS.
- 3.1.36.** “PROGRAM AGREEMENT” MEANS THE MOTORCYCLE OPERATOR TRAINING (MOST) PROGRAM AGREEMENT BETWEEN THE CO MOST PROGRAM AND CERTIFIED CO MOST PROGRAM VENDORS.
- 3.1.37.** “RANGE” MEANS A MOTORCYCLE COURSE AREA OF ASPHALT, PAVEMENT, OR CONCRETE THAT IS APPROVED OF BY ONE OR MORE CO MOST PROGRAM APPROVED COURSE PROVIDERS AND RECOGNIZED BY THE CO MOST PROGRAM FOR MOTORCYCLE (TWO AND/OR THREE-WHEELED) TRAINING, HAVING SUFFICIENT RUN-OFF AREA AROUND THE PERIMETER AND ANY/ALL OBSTACLES OR BARRIERS; ADEQUATE RUN-UP AND RUN-OUT SPACE; DEFINED FOR A MAXIMUM LEVEL OF STUDENTS; AND DESIGNED, PAINTED, AND AUDITED CONSISTENT WITH APPLICABLE CO MOST PROGRAM APPROVED COURSE STANDARDS.
- 3.1.38.** ~~3.1.28.~~ “Quality Assurance Review (QAR)” means actions through which the CSP or its agents evaluate the compliance of CO MOST Program Vendors or CO MOST

PROGRAM Instructors with applicable statutes, these rules, THE CO MOST PNP, applicable CONTRACTUAL OR AGREEMENT obligations, APPLICABLE CO MOST PROGRAM APPROVED COURSES, and CO MOST Program directives, POLICIES, and initiatives.

- 3.1.39.** ~~3.1.29.~~ “Reinstatement” means the recertification of a CO MOST Program Vendor, CO MOST Instructor Trainer, or CO MOST Instructor by the CHIEF AND THE CSP CO MOST PROGRAM subsequent to any cancelation, expiration, denial, limitation, suspension, or revocation of a certification consistent with applicable law, CO MOST CONTRACTS OR AGREEMENTS, APPROVED CO MOST PROGRAM APPROVED COURSES, these rules, AND OTHER APPLICABLE CO MOST PROGRAM DEVELOPED CRITERIA (INCLUDING THE CO MOST PNP AND/OR CO MOST ACCOUNTABILITY AND RESOLUTION MATRIX).
- 3.1.40.** “RESIDENT” MEANS A RESIDENT OF A STATE FOR MOTOR VEHICLE LICENSING AND/OR MOTORCYCLE ENDORSEMENT OR LICENSING PURPOSES. AS APPLIED WITHIN THESE RULES, THE DEFINITION OF A COLORADO RESIDENT WILL BE CONSISTENT WITH THE DEFINITION OF RESIDENT SET FORTH WITHIN §42-1-102 (81), CRS.
- 3.1.41.** “SEXUAL HARASSMENT AND DIVERSITY TRAINING” MEANS ANNUAL TRAINING AND UPDATES THERETO PROVIDED OR APPROVED FOR USE BY THE CO MOST PROGRAM. TO MAINTAIN CO MOST PROGRAM CERTIFICATION, CO MOST PROGRAM INSTRUCTORS MUST COMPLETE THIS TRAINING.
- 3.1.42.** ~~3.1.30.~~ “Temporary Training Site” means non-permanent locations WHEREBY, WITH LIMITED EXCEPTION, NO STRUCTURE IS TO REMAIN FOR MORE THAN 10 WEEKS OUT OF A SINGLE STATE FISCAL YEAR THAT HOUSES OR STORES MOTORCYCLES OR OTHER EQUIPMENT, at which CO MOST APPROVED Courses and CO MOST APPROVED Instructor Training Courses are provided for no more than 10 consecutive weeks during any SINGLE State Fiscal Year.
- 3.1.42.1.** ~~3.1.30.1.~~ Temporary Training Sites may be used multiple times over a single State Fiscal Year, but never for more than 10 weeks consecutively WITHOUT PRIOR PERMISSION FROM THE CO MOST PROGRAM.
- 3.1.42.2.** ~~3.1.30.2.~~ All equipment brought to a set up at a Temporary Training Site must be removed from the Temporary Training Site, along with any waste generated, upon completion of any Temporary Training Site period.
- 3.1.43.** ~~3.1.31.~~ “Training Site” means a CO MOST COURSE APPROVED AND CO MOST PROGRAM AFFIRMED permanent, non-temporary site for training having at least one (1) MOST CO MOST APPROVED RANGE Course and THE ABILITY TO PROVIDE CLASSROOM INSTRUCTION CONSISTENT WITH THESE RULES. ~~classroom facility meeting the requirements of these rules provided by a MOST Program Vendor.~~

3.1.44. ~~3.1.32.~~ “Underserved Areas of the State” means locations where the CSP determines the access of residents to CO MOST Program **APPROVED** training is restricted due to distance **OR PROGRAM AVAILABILITY**.

4. CSP CO MOST PROGRAM ADMINISTRATION

- 4.1.** In administering the CO MOST Program, the CSP will:
- 4.1.1.** Establish standards and **REVIEW** ~~approve~~ curricula**S** for **CO MOST PROGRAM COURSE APPROVAL**; ~~the certifications necessary for CO MOST Courses;~~
 - 4.1.2.** Manage the MOST Fund for the implementation of the CO MOST Program;
 - 4.1.3.** Maintain current records of CO MOST **CERTIFIED** Instructors, confirming compliance with statutory requirements established by §43-5-503, CRS;
 - 4.1.4.** Oversee all CO MOST Program Vendor Certifications and ~~contracts~~ **AGREEMENTS** with CO MOST Program Vendors providing training services under the CO MOST Program;
 - 4.1.5.** ~~Oversee and finalize~~ **ACKNOWLEDGE AND AFFIRM** approval of all CO MOST Program Training Sites;
 - 4.1.6.** **COORDINATE** ~~arrange~~ and review QARs of CO MOST Program **APPROVED** Training Sites, Vendors, and Instructors, assessing compliance with these rules, applicable CO MOST Program **AGREEMENT** ~~contractual~~ obligations, **APPLICABLE CO MOST PROGRAM APPROVED COURSES, THE CO MOST PNP**, and applicable state laws;
 - 4.1.7.** Publish a current record of ~~certified~~ **CO MOST PROGRAM CERTIFIED** Instructors monthly, **CONSISTENT WITH THE CO MOST PROGRAM AGREEMENT**; ~~directly to the CDOR and to the publish through the CSP MOST Program website.~~
 - 4.1.8.** Collaborate **AS MAY BE NECESSARY** with the CDOR annually to maintain information on the number of Motorcycle endorsements issued on Colorado Driver’s Licenses;
 - 4.1.9.** Establish and maintain a system tracking CO MOST Program performance data, including data on Motorcycle accidents, injuries, and fatalities, among persons having completed CO MOST Program **APPROVED** ~~training~~ **COURSES**; -
 - 4.1.10.** Prepare an annual report on the effectiveness of the CO MOST Program, the availability of CO MOST **PROGRAM APPROVED** Training throughout the state, current training costs, and other relevant performance measures as **ARE** determined by the CO MOST Program; -
 - 4.1.11.** Establish and maintain an evaluation system of staff, **CO MOST PROGRAM CERTIFIED OR APPROVED** Vendors, **INSTRUCTORS**, and QAR Personnel, operating

pursuant to the CO MOST Program for purposes of assessing and improving program performance; and

- 4.1.12. Ensure that CO MOST PROGRAM APPROVED Courses are conducted safely and consistent with best practices.

5. CO MOST PROGRAM EXPENDITURES

- 5.1. The CO MOST Program Office will make use of funds as allocated pursuant to §43-5-504, CRS, to implement the Colorado MOST Program in compliance with the state fiscal rules.

- 5.1.1. **CO MOST PROGRAM ADMINISTRATIVE EXPENSES.** The CO MOST Program Office will spend no more than the amount specified by §43-5-503 (1) (e), CRS, towards administrative costs. Within the statutorily specified amount **AND WITH CONSIDERATION GIVEN TO MOSAB AND OTHER STAKEHOLDER COMMUNICATIONS**, the CO MOST Program Office may use available CO MOST Program Funds for reasonable and necessary administrative expenses, ~~as defined within these rules.~~

- 5.1.2. **CO MOST PROGRAM CONTRACT EXPENSES.** Contract expenses differ from CO MOST Program Administrative expenses and are as defined within these rules. The CO MOST Program Office may use CO MOST Program Funds for reasonable and necessary contract expenses, to include:

- 5.1.2.1. Expenses incurred to promote the CO MOST Program, including public relations expenses, banners, advertising, and CO MOST program promotional materials, ~~as ordered by~~ **THROUGH THE CSP CO MOST PROGRAM**; and

- 5.1.2.2. Those expenses related to CO MOST Program evaluation, meetings involving external stakeholders, interested parties, and partners, and those related to CO MOST Program awareness.

- 5.2. **CO MOST PROGRAM CONTRACT EXPENSES.** CO MOST Program Vendor reimbursements include expenses directly related to a contract, **AGREEMENT**, or Purchase Order issued to a CO MOST Program Vendor or third-party for the purchase of goods and/or services, **NON-ADMINISTRATIVE CO MOST PROGRAM OPERATION EXPENSES**, or approved CO MOST Program-related travel expenses for Mobile Training conducted at Temporary Training Sites **WITHIN COLORADO** by CO MOST Vendors.

- 5.2.1. ~~Contracts~~ **AGREEMENTS** between the CO MOST Program and CO MOST Program **CERTIFIED** Vendors or third-parties will be for a period no longer than one (1) state fiscal year, subject to the availability of monies in the Fund.

- 5.2.2. Where required by the state fiscal rules, ~~contracts~~ **AGREEMENTS** between the CO MOST Program and MOST Program Vendors or third-parties will utilize a Purchase Order.

- 5.2.3. MOST Program Vendors and other third-parties **ENTERING INTO AGREEMENTS** **OR** contracting with the **CO** MOST Program will submit MOST Vendor information, as applicable, and update tax information annually, as appropriate.
- 5.2.4. A MOST Vendor reimbursement request arising out of approved **CO** MOST Program-related travel expenses for Mobile Training, as defined within these rules, must be submitted in writing to the **CO** MOST Program Office, consistent with these rules and **THE** state fiscal rules.
 - 5.2.4.1. A request for approved **CO** MOST Program travel or Mobile Training expenses by a MOST Vendor may be calculated pursuant to ~~state~~ **COLORADO** fiscal rules, current ~~state~~-**COLORADO**-adopted rates for per diem meal costs and daily hotel rates, or actual costs incurred, whichever amount is less.
 - 5.2.4.2. Following review and approval, the **CO** MOST Program Office will allocate funds for a **CO** MOST Vendor's approved program-related travel or Mobile Training Expenses.
- 5.2.5. Approval or denial of a request for reimbursement will be based upon criteria set forth within these rules and **APPLICABLE CO MOST PROGRAM DOCUMENTS**, in addition to **THE** availability of funding to satisfy approved reimbursement requests.
- 5.2.6. Failure of a **CO** MOST Vendor to provide documentation adequate to substantiate the reimbursement requested for approved **CO** MOST Program-related travel or Mobile Training may result in denial of the request for reimbursement.
- 5.2.7. If a **CO** MOST Program Vendor disagrees with the decision of the **CO** MOST Program Office in response to a request for reimbursement, a **CO** MOST Program Vendor may:
 - 5.2.7.1. Submit a written request for additional review of the decision of the Chief ~~or his or her designee~~ within two weeks of receiving notification from the **CO** MOST Program Office.
 - 5.2.7.2. The Chief ~~or his or her designee~~ will issue a decision within two weeks of the date of the receipt of a **CO** MOST Vendor's written request to review a reimbursement request decision by the **CO** MOST Program Office.
 - 5.2.7.3. The decision of the Chief ~~or his or her designee~~ will constitute a final agency action with respect to the reimbursement request at issue and will be subject to judicial review as described within §24-4-106, CRS.

6. **CSP-CO MOST PROGRAM VENDORS**

- 6.1. **CO MOST PROGRAM VENDOR APPLICATION REQUIREMENTS.** Persons seeking participate as MOST Vendors in the **CO** CSP-MOST Program:

~~6.1.1.~~ **M**ust obtain a ~~MOST Program~~ Vendor Certification FROM THE ~~CSP~~ **CO MOST PROGRAM** prior to offering any **CO MOST PROGRAM APPROVED Courses IN COLORADO.** ONLY ACTIVE CERTIFIED MOST VENDORS CAN REPRESENT AS A **CO MOST PROGRAM VENDOR AND/OR SCHOOL AND RECEIVE CO MOST APPROVED COURSE COMPLETION CARDS TO PROVIDE TO STUDENTS UPON SUCCESSFUL COURSE COMPLETION.**

~~6.1.1.1.~~ MOST Program Vendors with certifications in good standing and in compliance with 2 CCR 601-23 and issued by the CDOT prior to January 1, 2018, will remain valid as if issued by the CSP until the date of expiration, or a failure to remain in good standing with these rules.

~~6.1.1.2.~~ After January 1, 2019, a Vendor must obtain a MOST Program Vendor Certification from the CSP prior to offering any MOST Program Courses.

6.1.1. ~~6.1.1.3.~~ Vendor Certification will be for a term not exceeding one (1) year and will expire **NO LATER THAN** ~~on~~ June 30th of the year following the effective date of issue.

6.1.2. ~~6.1.1.4.~~ Vendor will receive a written response as to the approval of any **CO MOST PROGRAM VENDOR** Application submitted within ~~three (3)~~ **ONE (1)** calendar month of the date of application receipt by the ~~CSP~~ **CO MOST Program Coordinator.** ~~Vendor must make the Vendor Certification available for review upon request.~~

6.2. CO MOST PROGRAM VENDOR CERTIFICATION-MAINTENANCE. To maintain **AS A CERTIFIED, ACTIVE CO MOST Program Vendor, A VENDOR** must:

~~6.2.1.~~ Adhere to 2 CCR 601-23 until the effective date of these rules, 8 CCR 1507-56, and adhere to applicable state law and existing contractual agreements between the MOST Program Vendor and the state.

6.2.1. ~~6.2.2.~~ Following the effective date of these rules, a **Adhere to 8 CCR 1507-56, the CO MOST PROGRAM rules and regulations, AND OPERATE CONSISTENT WITH AND IN COMPLIANCE WITH THE TERMS OF AGREEMENTS BETWEEN THE STATE AND CERTIFIED CO MOST PROGRAM VENDORS, APPLICABLE LAW, THE CO MOST PNP, AND APPLICABLE PROVISIONS OF CO MOST APPROVED PROGRAM COURSES.** concerning the Motorcycle Operator Safety Training (MOST) Program, and adhere to applicable state law and existing contractual agreements between the MOST Program Vendor and the state.

6.2.2. ~~6.2.3.~~ Use Certified **CO MOST Program Instructors** and require instructors **SATISFYING CO MOST INSTRUCTOR REQUIREMENTS SET FORTH WITHIN THESE RULES AND REQUIRE CO MOST INSTRUCTORS to maintain compliance with §43-5-503, CRS, AND APPLICABLE CO MOST PROGRAM APPROVED COURSES. CO MOST PROGRAM VENDORS MUST reporting any KNOWN INSTRUCTOR violation thereof OF THE AFOREMENTIONED immediately to the CO MOST Program Office.**

- 6.2.3.** ~~6.2.4.~~ Provide and maintain **AN approved CO MOST Program Training Site or Sites.**
- 6.2.4.** **COMPLETE ATTENDANCE OF THE ANNUAL CO MOST PROGRAM VENDOR CONFERENCE CONSISTENT WITH THE TERMS AND CONDITIONS SET FORTH WITHIN THE CO MOST PROGRAM AGREEMENT.**
- 6.2.5.** Cooperate with all QARs arranged ~~by~~ **THROUGH** the **CO MOST Program Office** of any Training Site or Sites.
- 6.2.6.** Comply with remediation actions and other directives as required by ~~CSP~~ **THE CO MOST PROGRAM.**
- 6.2.7.** Maintain all required CO MOST Program records, including student records, for a period of at least three (3) years, providing these records for auditing by the CSP or its agents upon request **CONSISTENT WITH THE CO MOST VENDOR PROGRAM AGREEMENT AND OTHER APPLICABLE CO MOST PROGRAM DOCUMENTS. EACH** student records must include:
- 6.2.7.1.** A copy of their signed waiver, completed ~~by the student~~ prior to **THE STUDENT** beginning the course;
- 6.2.7.2.** The full name of the student, exactly as it appears on the student's **STATE** driver's license, ~~or permit,~~ or **IDENTIFICATION, AND THE LICENSE, PERMIT OR STATE IDENTIFICATION NUMBER;**
- 6.2.7.3.** The student's date of birth;
- 6.2.7.4.** The student's mailing address, county of residence, email address, and phone number;
- 6.2.7.5.** ~~The name and number of a person to contact on behalf of the student in the event of emergency.~~ The results of the student's classroom and Range training, complete with a determination as to whether or not the student successfully completed training;
- 6.2.7.6.** Course starting and ending date(s);
- 6.2.7.7.** ~~Copies of incident reports involving the student if any;~~ **EVIDENCE OF SUCCESSFUL COURSE COMPLETION (CERTIFICATE, COMPLETION CARD, ETC.), BEARING THE APPLICABLE COURSE NUMBER AND OTHER INFORMATION AS MAY BE REQUIRED BY THESE RULES;**
- 6.2.7.8.** ~~Copies of incident reports involving the~~ **A student, if any;** ~~The MOST Program Vendor's name, email address, mailing address, phone number, and range location; and;~~
- 6.2.7.9.** ~~The~~ **A CO MOST Program Vendor's name, email address, mailing address, phone number, and Range location; and**

6.2.7.10. The name(s) and **THE ASSIGNED CO MOST PROGRAM IDENTIFICATION Certification** number(s) for any CO MOST Program Instructor(s) **RESPONSIBLE FOR A CO MOST STUDENT'S COURSE OF INSTRUCTION.**

6.2.8. The CSP will retain any student records and will not release them to third-parties absent an Open Records Request, contract, **AGREEMENT**, or as required by law, and will be subject **RELEASED RECORDS** to redaction as appropriate to protect any PII. Any student records retained by the CSP **ON BEHALF OF THE CO MOST PROGRAM** may be used to evaluate and analyze the effectiveness of the CO MOST Program. **RECORDS WILL BE MAINTAINED CONSISTENT WITH APPLICABLE STATE DATA RETENTION GUIDELINES.**

6.3. CO MOST PROGRAM VENDOR TRAINING AND MOTORCYCLE REQUIREMENTS. It is the responsibility of a CO MOST Program Vendor to ensure that all Motorcycles used for CO MOST Courses meet the requirements of these rules, **APPLICABLE CO MOST PROGRAM APPROVED COURSES**, and are inspected and approved for use by the CO MOST Program Instructor prior to each training session.

6.3.1. Motorcycles used for instruction must be intended for street use by the manufacturer.

6.3.2. One (1) Motorcycle must **BE** available ~~for~~ **PER** each student participating in that ~~R~~ange session of a **CO MOST PROGRAM APPROVED** ~~BRC~~ Course.

6.3.3. CO MOST Vendor supplied Motorcycles must be maintained **AND** in a safe operating condition. ~~by the MOST Program Vendor.~~

6.3.3.1. **THIS INCLUDES ANY AND ALL** ~~Program Vendors are responsible for the~~ repairs and maintenance of all CO MOST PROGRAM Vendor Motorcycles provided for use in ~~the~~ **AN CO MOST Program**, including **REQUIRED** tire replacement.

6.3.4. A CO MOST Program Instructor will immediately notify a CO MOST Program Vendor of any Motorcycle not meeting the requirements of these rules, or that is otherwise determined unsafe for use, and reject the Motorcycle for use in **AN** ~~the~~ CO MOST Program **APPROVED COURSE** ~~Program~~ **UNTIL SUCH TIME THE MOTORCYCLE BECOMES COMPLIANT WITH THE REQUIREMENTS OF THESE RULES.** ~~A MOST Program Instructor may require a student electing to use his or her own Motorcycle to:~~ 6.3.4.1. ~~Provide proof that the personally provided Motorcycle has been inspected and found to satisfy safety requirements required to participate in a MOST Course;~~ 6.3.4.2. ~~Provide proof of ownership or written permission of the owner of a personal Motorcycle;~~ 6.3.4.3. ~~Provide proof of adequate liability insurance;~~ 6.3.4.4. ~~Sign a waiver of liability for any damage or injury arising out of, from, or caused by operation of the personal Motorcycle;~~ and 6.3.4.5. ~~Inform a student that the transportation of his or her Motorcycle to and from the Training Site should be consistent with all applicable state laws.~~

~~6.3.4.6. An Instructor has the discretion to deny use of a personally provided Motorcycle by a student participating in a MOST Course.~~

6.3.5. ~~6.3.4.~~ A CO MOST Program Instructor ~~VENDOR~~ **may** ~~WILL~~ require a student electing to use his or her own **TWO OR THREE-WHEELED Motorcycle, WHICHEVER MAY BE APPLICABLE,** to: ~~Motorcycles used for a two-wheeled Motorcycle MOST Course must abide by the standards set forth in the applicable, current, and approved, MOST curriculum in which the Motorcycle is being used.~~

6.3.5.1. ~~6.3.4.1.~~ **Provide proof that the personally provided Motorcycle has been inspected and found to satisfy safety requirements required to participate in a MOST Course; ALLOW THE MOST PROGRAM INSTRUCTOR TO COMPLETE A SAFETY INSPECTION TO VERIFY THAT THE MOTORCYCLE PROVIDED BY THE STUDENT SATISFIES APPLICABLE SAFETY STANDARDS AND IS INTENDED FOR STREET USE BY THE MANUFACTURER;**

6.3.5.2. ~~6.3.4.2.~~ **Provide proof of ownership or written permission of the owner of THE personal Motorcycle;**

6.3.5.3. ~~6.3.4.3.~~ **Provide proof of adequate liability insurance;**

6.3.5.4. ~~6.3.4.4.~~ **Sign a waiver of liability for any damage or injury arising out of, from, or caused by operation of the personal TWO OR THREE-WHEELED Motorcycle; and**

6.3.5.5. ~~6.3.4.5.~~ **CONFIRM** ~~inform~~ **WITH THE** a student that the transportation of his or her ~~THE PERSONALLY PROVIDED~~ Motorcycle by a student participating in a **CO MOST PROGRAM APPROVED** Course to and from the Training Site should be consistent with all applicable state laws.

6.3.6. A CO MOST Instructor **MAY EXERCISE PROFESSIONAL** ~~has the discretion to~~ **AND** deny ~~THE~~ use of a personally provided Motorcycle by a student participating in a **CO MOST PROGRAM APPROVED** Course. ~~Motorcycles used for a three-wheel MOST Course must;~~ ~~6.3.6.1.~~ **Be intended for street use by the manufacturer;** ~~6.3.6.2.~~ **Be maintained in safe operating condition;** ~~6.3.6.3.~~ **Meet the applicable and current approved MOST curriculum standards for three-wheeled Motorcycle training; and** ~~6.3.6.4.~~ **Be approved by the MOST Program Instructor.**

6.3.7. **A CO MOST PROGRAM INSTRUCTOR WILL NOTIFY THE CO MOST PROGRAM VENDOR OF ANY TWO OR THREE-WHEELED STUDENT-PROVIDED MOTORCYCLE THAT IS DETERMINED TO BE UNSAFE FOR USE BY A STUDENT ATTENDING A CO MOST PROGRAM COURSE.** ~~A MOST Program Instructor will immediately notify a MOST Program Vendor of any Motorcycle not meeting the requirements of these rules, or that is otherwise determined unsafe for use, and reject the Motorcycle for use in the MOST Program.~~

- 6.4. CO MOST PROGRAM VENDOR RANGE AND CLASSROOM REQUIREMENTS.** Throughout the duration of a contract **OR AN AGREEMENT** between a CO MOST Program Vendor and the CO MOST Program, ~~the~~ **A CO MOST Program VENDOR** will:
- 6.4.1.** Obtain and maintain legal access to a Training Site classroom and Range ~~meeting~~ **CONSISTENT WITH ALL** the requirements of these rules.
 - 6.4.2.** Provide a **PHYSICAL OR VIRTUAL** classroom for training purposes, having adequate facilities for the total number of students attending a **CO MOST PROGRAM APPROVED** Course, including ~~those~~ **REASONABLE AND LEGALLY SUFFICIENT** accommodations ~~adequate and~~ necessary to instruct students having disabilities.
 - 6.4.3.** ~~PROVIDE~~ ~~affirm that the~~ **A TRAINING R**ange to be used by ~~the~~ **AN CO MOST** Program Vendor for **CO MOST PROGRAM APPROVED** Course Instruction **THAT** meets minimum ~~Program~~ **CO MOST APPROVED PROGRAM AND PROGRAM APPROVED COURSE** requirements. **A CO MOST VENDOR MUST SUPPLY DOCUMENTATION EVIDENCING SATISFACTION OF THESE REQUIREMENTS, INCLUDING** ~~by providing a~~ **R**ange diagram(s), ~~+~~ **R**ange photographs, ~~and~~ proof of legal access to the ~~+~~ **R**ange, **AND COURSE PROVIDERS APPROVAL OF THE RANGE.**
 - 6.4.4.** Agree that, with the exception of paving or other improvements, any changes to the dimensions or positioning of the ~~A~~ **R**ange or the ~~+~~ **R**ange layout will be diagrammed and **RECEIVE APPROVAL FROM THE DEVELOPER OF THE APPLICABLE MOTORCYCLE CURRICULA AND RECEIVE WRITTEN ACKNOWLEDGEMENT FROM** ~~approved in writing by the~~ **CO MOST Program Office** prior to any use.
 - 6.4.5.** Maintain a **CO MOST PROGRAM APPROVED** Course ~~+~~ **R**ange such that:
 - 6.4.5.1.** All ~~+~~ **R**ange markings are correct and visible during training;
 - 6.4.5.2.** The ~~+~~ **R**ange is ~~paved and~~ free of potholes and other hazards; and
 - 6.4.5.3.** Ensure that the ~~+~~ **R**ange is secured from the unsafe conditions and intrusions of any kind that could result in the distraction of a student, with the exceptions of authorized personnel, including CSP personnel and law enforcement.
 - 6.4.6.** Complete inspection of the ~~+~~ **R**ange prior to each training session to confirm that the ~~course~~ **RANGE** is free from debris and other hazards that may **ADVERSELY** affect student safety; and
 - 6.4.7.** Provide **CO MOST** Instructors with the authority to **POSTPONE** or cancel a scheduled class if ~~the~~ **AN** Instructor determines that, due to inclement weather, excessive heat, humidity, or other factors, continuing with the class as scheduled **COULD** ~~would~~ jeopardize the health, safety, and welfare of ~~the~~ students.
- 6.5. CO MOST VENDOR CHOICE OF COURSE.** **A CO MOST VENDOR MAY, AT ITS DISCRETION, OPT TO PROVIDE ANY ONE OR ALL OF THE CO MOST PROGRAM APPROVED COURSES**

THAT A CO MOST VENDOR HAS RECEIVED APPROVAL FROM THE COURSE DEVELOPER TO USE AND APPROVAL TO PROVIDE FROM THE CO MOST PROGRAM.

6.5.1. IN THE EVENT A CO MOST PROGRAM APPROVED COURSE SHOULD NO LONGER BE APPROVED FOR INSTRUCTION IN COLORADO, A VENDOR EMPLOYING INSTRUCTORS CERTIFIED ONLY IN THE FORMERLY APPROVED COURSE MAY REQUEST CO MOST PROGRAM SUPPORT CONSISTENT WITH STATUTE SUPPORTING TRAINING OF INSTRUCTORS FROM THE CO MOST PROGRAM OFFICE.

6.5.1.1. FOR PURPOSES OF THESE RULES, INSTRUCTORS EMPLOYED BY VENDORS REQUESTING PROGRAM SUPPORT FOR RETRAINING IN ANOTHER CO MOST PROGRAM APPROVED COURSE PURSUANT TO THE EXIGENT CIRCUMSTANCES SET FORTH WITHIN 6.5.1. WILL BE TREATED BY THE CO MOST PROGRAM AS IF NEW CO MOST PROGRAM INSTRUCTOR CANDIDATES. THE CO MOST PROGRAM MAY WAIVE INSTRUCTOR SPECIFIC INDIVIDUAL INSTRUCTOR TRAINING REQUIREMENTS ON A CASE-BY-CASE BASIS AS MAY BE DETERMINED TO BE APPROPRIATE.

6.5.2. IN THE EVENT A CO MOST PROGRAM APPROVED VENDOR ELECTS TO SWITCH FROM A CO MOST PROGRAM APPROVED COURSE TO ANOTHER CO MOST PROGRAM APPROVED COURSE ABSENT APPROVAL REVOCATION OF A CO MOST APPROVED PROGRAM AS SET FORTH WITHIN SECTION 6.5.1. OF THESE RULES, THE VENDOR IS RESPONSIBLE FOR THE TRANSITION COSTS ASSOCIATED THEREWITH, INCLUDING RETRAINING COSTS FOR INSTRUCTORS IN THE EMPLOY OF A VENDOR. MOREOVER, A CHANGE IN THE APPROVED CO MOST PROGRAM COURSE OF INSTRUCTION PROVIDED BY A VENDOR ARISING OUT OF THE SALE OF THE BUSINESS OF AN EXISTING, CO MOST PROGRAM CERTIFIED VENDOR IS SUBJECT TO THIS SAME EXCLUSION.

6.5.3. IN THE EVENT A CO MOST PROGRAM VENDOR IS TERMINATED AS A PROVIDER OF A CO MOST PROGRAM APPROVED COURSE AND SUBSEQUENTLY RECEIVES CERTIFICATION TO PROVIDE ANOTHER CO MOST PROGRAM APPROVED COURSE, THE CO MOST VENDOR IS RESPONSIBLE FOR ALL COSTS OF PROGRAM TRANSITION, INCLUDING THE RETRAINING OF ANY INSTRUCTORS IN THE EMPLOY OF THE VENDOR.

7. CSP-CO MOST PROGRAM INSTRUCTORS

7.1. CO MOST PROGRAM INSTRUCTOR ~~CERTIFICATION~~ REQUIREMENTS. A person must first be certified as a CO MOST Program Instructor by the ~~CSP-CO MOST PROGRAM~~ prior to instructing any CO MOST PROGRAM APPROVED Courses. ~~Certification~~ INSTRUCTOR applications must be submitted to the CO MOST Program Office between January 1st and ~~January 31st~~-February 28th of each year. ~~Certifications received~~ CO MOST PROGRAM INSTRUCTOR CERTIFICATIONS ISSUED during this time period ~~will be~~ ARE effective for a period of no longer than one (1) year, beginning March 1st of the current APPLICATION year and expiring February 28th of the next year, WITH THE EXCEPTION OF A LEAP YEAR.

To obtain CO MOST Program Instructor certification from the ~~CSP~~ **CO MOST PROGRAM**, a person must complete ~~ALL any applicationS~~ **AND** paperwork **AS ARE** required by the ~~CSP~~ **CO MOST PROGRAM** and:

7.1.1. Meet the age requirements as set forth within §43-5-503(2), CRS;

7.1.2. Submit proof of successful completion of a **CO MOST PROGRAM APPROVED** Instructor Training Course ~~approved by the CSP~~;

7.1.2.1. BEGINNING UPON THE EFFECTIVE DATE OF THESE RULES, SUBSEQUENT NEW CO MOST PROGRAM INSTRUCTOR APPLICATIONS AND CO MOST INSTRUCTOR APPLICATIONS SUBMITTED AFTER CERTIFICATION SUSPENSION OR REVOCATION FROM THE CO MOST PROGRAM MUST INCLUDE DOCUMENTATION CONFIRMING THE SUCCESSFUL COMPLETION OF A CO MOST PROGRAM APPROVED INSTRUCTOR TRAINING COURSE WITH A PASSING SCORE ON THE CO MOST PROGRAM APPROVED COURSE SKILLS TEST, AS DETAILED WITHIN THE CO MOST PROGRAM PNP. THE DETERMINATION OF REINSTATEMENT OF A CO MOST PROGRAM INSTRUCTOR WILL OCCUR CONSISTENT WITH SECTION 10 OF THESE RULES.

7.1.2.2. UPON THE EFFECTIVE DATE OF THESE RULES, CO MOST PROGRAM INSTRUCTOR APPLICATIONS SUBMITTED TO THE CO MOST PROGRAM OFFICE BY APPLICANTS HAVING SUCCESSFULLY COMPLETED A NATIONAL CO MOST PROGRAM APPROVED COURSE IN COLORADO OR ANOTHER STATE MUST INCLUDE DOCUMENTATION SPECIFICALLY INDICATING THE ADDITIONAL COMPLETION OF A CO MOST PROGRAM APPROVED COURSE SKILLS TEST WITH A SUCCESSFUL SCORE, AS DETAILED WITHIN THE CO MOST PROGRAM PNP. WHERE THE ORIGINAL COURSE INSTRUCTION DOES NOT INCLUDE AN CO MOST PROGRAM APPROVED COURSE SKILLS TEST AS PART OF THE COURSE, THE APPLICANT CANDIDATE WILL BE REQUIRED TO ADDITIONALLY COMPLETE A CO MOST PROGRAM APPROVED COURSE SKILLS TEST WITH A SUCCESSFUL SCORE, AS IT IS DETAILED WITHIN THE CO MOST PNP TO BE ELIGIBLE TO APPLY FOR STATUS AS AN CERTIFIED CO MOST PROGRAM INSTRUCTOR.

7.1.2.3. BEGINNING UPON THE EFFECTIVE DATE OF THESE RULES, SUBSEQUENT NEW CO MOST PROGRAM INSTRUCTOR APPLICATIONS OR APPLICATIONS FOR ANNUAL RENEWAL OF INSTRUCTOR CERTIFICATION SUBMITTED TO THE CO MOST PROGRAM MUST INCLUDE DOCUMENTATION CONFIRMING THE SUCCESSFUL COMPLETION OF A CO MOST APPROVED INSTRUCTOR TRAINING COURSE CONSISTENT WITH STANDARDS SET FORTH WITHIN THE CO MOST PNP.

7.1.2.4. UPON THE EFFECTIVE DATE OF THESE RULES, SUBSEQUENT APPLICATIONS FOR CO MOST PROGRAM INSTRUCTORS SUBMITTED TO THE CO MOST PROGRAM BY AN APPLICANT CANDIDATE SUCCESSFULLY

COMPLETING A CO MOST PROGRAM APPROVED TRAINING COURSE IN COLORADO OR ANOTHER STATE MUST INCLUDE DOCUMENTATION SPECIFICALLY INDICATING THE ADDITIONAL COMPLETION OF A CO MOST PROGRAM APPROVED KNOWLEDGE TEST WITH A SUCCESSFUL SCORE AS IT IS DEFINED WITHIN THE CO MOST PROGRAM PNP.

- 7.1.3.** PROVIDE PROOF THAT THE APPLICANT CANDIDATE ~~P~~ possesses a valid STATE driver'S license WITH A MOTORCYCLE ENDORSEMENT issued by the state of RESIDENCY ~~Colorado having a Motorcycle endorsement.~~ Where applicant CANDIDATE possessed OR POSSESSES a license issued by another state in the three (3) year period prior to the submission of the application, THE Applicant CANDIDATE must also indicate the state of issue for the prior license and the license number.
- 7.1.4.** COLORADO RESIDENTS MUST ~~S~~submit a completed CDOR Form DR2559, "Permission for Release of Individual Records," to the CO MOST Program Office that evidences an acceptable driving record as required by §43-5-503, CRS, or a MOTOR VEHICLE RECORD (MVR), AS SUCH DOCUMENT IS IDENTIFIED WITHIN THESE RULES, for a three (3) year period prior to the application submission date OR ANY PORTION THEREOF. AN APPLICATION SUBMITTED WITHOUT Aa driving record OR MVR DATED WITHIN 30 DAYS OF THE APPLICATION SUBMISSION DATE will BE not found acceptable, DETERMINED INCOMPLETE, AND MAY BE RETURNED FOR COMPLETION AT THE DISCRETION OF THE CO MOST PROGRAM COORDINATOR. ~~And a~~An aApplicant CANDIDATE will be determined ineligible:-
- 7.1.4.1.** If, within the three (3) years prior to the date of the CO MOST INSTRUCTOR APPLICATION submission, the license issued to the aApplicant CANDIDATE by the state of Colorado has been revoked or suspended;
- 7.1.4.2.** If, within three (3) years prior to the date of THE CO MOST INSTRUCTOR APPLICATION submission, an aApplicant CANDIDATE has been convicted for an offense assigned eight (8) or more points in the schedule set forth within §42-2-127 (5), CRS, ~~or is equivalent in any other state;~~ or
- 7.1.4.3.** If, within the three (3) years prior to the date of the CO MOST INSTRUCTOR application submission, a driver'S license issued to the aApplicant CANDIDATE from any other state has been revoked or suspended.
- 7.1.5.** NON-COLORADO RESIDENTS ARE REQUIRED TO ACQUIRE AND INCLUDE WITH THE CO MOST INSTRUCTOR APPLICATION THEIR DRIVER'S LICENSE RECORD OR MVR FROM THEIR CURRENT OR MOST RECENT STATE OF RESIDENCY, DATED WITHIN 30 DAYS OF THE APPLICATION SUBMISSION. AN APPLICATION WILL BE DETERMINED INCOMPLETE IN THE ABSENCE OF A DRIVER'S LICENSE RECORD OR MVR, AND WILL BE RETURNED FOR COMPLETION BY THE CO MOST PROGRAM

MANAGER TO THE APPLICANT CANDIDATE. MOREOVER, A NON-COLORADO RESIDENT APPLICANT CANDIDATE WILL BE DETERMINED INELIGIBLE:

7.1.5.1. IF, WITHIN THE THREE (3) YEARS PRIOR TO THE DATE OF THE APPLICATION SUBMISSION, A LICENSE ISSUED TO THE APPLICANT CANDIDATE BY ANOTHER STATE HAS BEEN REVOKED OR SUSPENDED; OR

7.1.5.2. IF, WITHIN THE THREE (3) YEARS PRIOR TO THE DATE OF THE APPLICATION SUBMISSION, AN APPLICANT CANDIDATE HAS BEEN CONVICTED FOR AN OFFENSE ASSIGNED EIGHT (8) OR MORE POINTS OR CONVICTED IN ANOTHER STATE FOR AN OFFENSE EQUIVALENT TO THOSE OFFENSES ASSIGNED EIGHT (8) OR MORE POINTS ON THE SCHEDULE SET FORTH WITHIN §42-2-127 (5), CRS, OR ITS EQUIVALENT SCHEDULE IN THE LICENSING STATE.

7.1.6. NON-COLORADO RESIDENTS WHO ARE ACTIVE DUTY MEMBERS OF THE MILITARY HOLDING A DRIVER'S LICENSE FROM A STATE OTHER THAN COLORADO ARE EXEMPT FROM THE REQUIREMENTS OF 7.1.5. ALTERNATIVELY, MEMBERS OF THE MILITARY WHO ARE NOT RESIDENTS OF COLORADO ARE REQUIRED TO PROVIDE DOCUMENTATION AS MAY BE DETERMINED TO BE REASONABLY NECESSARY BY THE CO MOST PROGRAM COORDINATOR TO CONFIRM VALIDITY OF A DRIVER'S LICENSE AND MINIMALLY CONSISTENT WITH CO MOST PROGRAM INSTRUCTOR REQUIREMENTS SET FORTH WITHIN THESE RULES AND THE CO MOST PROGRAM PNP.

7.2. CO MOST PROGRAM INSTRUCTOR ~~CERTIFICATION~~-MAINTENANCE. To remain certified, CONTINUE AS AN a CO MOST Program Instructor, AN Instructor must:

7.2.1. ~~Provide evidence of certification upon request.~~ MAINTAIN COMPLIANCE WITH CO MOST PROGRAM INSTRUCTOR REQUIREMENTS, TERMS, AND CONDITIONS OF APPLICABLE CO MOST PROGRAM APPROVED MOST COURSES, APPLICABLE LAWS, AND THESE RULES. Attend all required MOST Program Courses, meetings, and PDWs.

~~7.2.1.1. 7.2.2.1.~~ FAILURE TO MAINTAIN COMPLIANCE AND ANY RESULTING INELIGIBILITY, SUSPENSION, REVOCATION OR TERMINATION OF AN INSTRUCTOR FROM ANY CO MOST APPROVED PROGRAM COURSE WILL IMMEDIATELY RESULT IN THE SUSPENSION AND/OR THE PENDING REVOCATION OF A CO MOST PROGRAM INSTRUCTOR CERTIFICATION.

7.2.2. Attend AND COMPLETE all required CO MOST Program Courses, meetings, and PDWs OR RECEIVE WAIVER THEREFROM PURSUANT TO THE TERMS AND CONDITIONS OF THE CO MOST ~~VENDOR~~-PROGRAM AGREEMENT AND CONSISTENT WITH THE CO MOST PNP.

- ~~7.2.2.1. If a MOST Program Instructor is unable to attend a required MOST Program Course meeting or PDW, the Instructor must seek approval in advance to be absent from the event.~~
- 7.2.2.1.** ~~7.2.2.2.~~ Failure to attend **OR COMPLETE** a required CO MOST Program Course, meeting, or PDWS, without prior approval to be absent therefrom, may result in **THE** limitation, suspension, or revocation of **A CO MOST Program Instructor Certification** ~~by the CSP.~~
- 7.2.3.** Teach a minimum of **THREE** ~~two (2)~~ **(3) CO MOST PROGRAM APPROVED** Courses, **OR THE EQUIVALENT THEREOF DURING A CO MOST PROGRAM INSTRUCTOR ANNUAL CERTIFICATION PERIOD AS IS IDENTIFIED TO OCCUR BY THESE RULES.** ~~annually during the certification period as set forth within these rules.~~
- 7.2.4.** Exhibit professional conduct and expertise when instructing students or when counseling out a student, including:
- 7.2.4.1.** **CO MOST Program Instructors** must be physically capable of conducting **CO MOST PROGRAM APPROVED** Courses and maintain positive, safe learning environments.
- 7.2.4.2.** **CO MOST Program Instructors** must not be impaired by alcohol or drugs when instructing a **CO MOST PROGRAM APPROVED** Course, including prescription or over-the-counter medications that may impair performance and response ability.
- 7.2.4.3.** **CO MOST Program Instructors** must not **ENGAGE IN** ~~use~~ any unapproved **USE OF** electronic devices during ~~the~~ **A CO MOST PROGRAM APPROVED eCourse.** ~~of instruction, including cell phones.~~
- 7.2.4.4.** **CO MOST Program Instructors** must refrain from the use of tobacco products, including chewing tobacco **OR VAPING PRODUCTS**, during ~~the~~ **CO MOST PROGRAM APPROVED eCourses** ~~of instruction;~~ and
- 7.2.4.5.** **CO MOST Program Instructors** must demonstrate ~~tact~~ **PROFESSIONAL DISCRETION AND COURTESY** when counseling out a student where it has been determined that the student should cease participation in a **CO MOST PROGRAM APPROVED** Course in order to protect the safety of the student and/or the safety of others.
- 7.2.5.** Follow **CO MOST Program** procedures for reporting incidents and injuries occurring during ~~CO most~~ **MOST PROGRAM APPROVED eCourse** instruction by:
- 7.2.5.1.** Filing a **COPY OF THE** ~~separate~~ incident report ~~as~~ provided by the **CO MOST Program APPROVED COURSE PROVIDER WITH THE CO MOST PROGRAM Office CONSISTENT WITH THE CO MOST PNP**, detailing any property damage or personal injury to a student. This report must be filed with the **CO MOST Program Office** within the time frame indicated

in the CO MOST Vendor-~~Contract~~ **AGREEMENT AND THE CO MOST PROGRAM PNP**, and should include:

7.2.5.1.1. The complete Training Site **PHYSICAL address AND MAILING ADDRESS, IF DIFFERENT**;

7.2.5.1.2. An accurate depiction of the ~~#~~**Range** layout at the time of the incident;

7.2.5.1.3. Photographs, if available;

7.2.5.1.4. All information on the student(s) involved in the incident, including any contact information, names and addresses of any witnesses, **EMAIL ADDRESSES**, and any incident-related Motorcycle damage. ~~;~~**and**

~~**7.2.5.1.5.** A current email address of the student(s) Vendor representative(s) and Instructor(s) involved.~~

7.2.5.2. Any updates to the incident report or updates to personal addresses or other contact information must be reported to the CO MOST Program Office within 15 days of any such changes.

7.2.6. Notify the **CO MOST Program Office** and the **CO MOST Vendor(s)** for whom ~~AN the~~ **CO MOST Instructor** provides training of any event that affects the **CO MOST Instructor's** ability to meet the requirements of these rules, best practices, **CO MOST PROGRAM policies and procedures, APPLICABLE CO MOST PROGRAM APPROVED COURSES, THE CO MOST PNP, AND/OR** compliance with applicable state statutes.

7.3. CO MOST INSTRUCTOR CHOICE OF COURSE. A CO MOST INSTRUCTOR MAY, AT THEIR DISCRETION, OPT TO PURSUE AND RECEIVE TRAINING IN ANY ONE OR ALL CO MOST PROGRAM APPROVED COURSES.

7.3.1. EXISTING CERTIFIED CO MOST PROGRAM INSTRUCTORS IN GOOD STANDING WITH THE CO MOST PROGRAM MAY REQUEST CO MOST PROGRAM SUPPORT AS A STUDENT NEW TO ANY CO MOST PROGRAM APPROVED COURSE FOR WHICH THE CO MOST PROGRAM INSTRUCTOR HAS NOT ALREADY RECEIVED TRAINING OR BEEN CERTIFIED TO INSTRUCT BY THE CO MOST PROGRAM.

7.3.2. THE AWARD OF ANY CO MOST PROGRAM SUPPORT WILL BE CONTINGENT UPON CO MOST PROGRAM FUNDING AVAILABILITY AND, IF AVAILABLE, AWARDED IN THE ORDER REQUESTS FOR ADDITIONAL CO MOST APPROVED COURSE TRAINING ARE RECEIVED.

7.4. ~~7.3.~~—CO MOST PROGRAM INSTRUCTOR RECERTIFICATION AND CERTIFICATION RENEWAL.

7.4.1. ~~7.3.1.~~—A CO MOST Program instructor failing to maintain AN certification—CO MOST PROGRAM INSTRUCTOR CERTIFICATION as required by these rules, applicable lawS, APPLICABLE CO MOST PROGRAM APPROVED COURSES, AND THE CO MOST PNP and the MOST Program must:

7.4.1.1. ~~7.3.1.1.~~—Successfully complete a CO MOST Program APPROVED Instructor Training Course, AS SET FORTH BY SECTION 7 OF THESE RULES; and

7.4.1.2. ~~7.3.1.2.~~—Apply for recertification by submitting an CO MOST Instructor Certification—application to the CO MOST Program Office, CONSISTENT WITH APPLICABLE PROVISIONS SET FORTH WITHIN SECTION 7 OF THESE RULES, APPLICABLE CO MOST PROGRAM APPROVED COURSES, AND THE CO MOST PROGRAM PNP.

7.4.2. CO MOST PROGRAM INSTRUCTORS APPLYING TO RENEW CO MOST PROGRAM INSTRUCTOR CERTIFICATION ANNUALLY SHOULD DO SO AS DIRECTED BY THE CO MOST PROGRAM PNP AND THESE RULES UNLESS OTHERWISE DETERMINED INELIGIBLE TO DO SO. IN THE EVENT OF INELIGIBILITY, A CO MOST PROGRAM INSTRUCTOR MAY PURSUE RECERTIFICATION AS SET FORTH WITHIN THESE RULES.

7.4.2.1. ~~7.3.2.~~—A CO MOST Program Instructor seeking to renew a certification required by these rules, applicable law, and the CO MOST Program must:
~~7.3.2.1.~~ Apply for RENEWAL—recertification OF AN INSTRUCTOR CERTIFICATION by submitting a COMPLETE Instructor Certification Application to the CO MOST Program Office.

8. CO MOST PROGRAM APPROVED COURSE-TRAINING

8.1. CO MOST INSTRUCTOR TRAINING COURSE. To DELIVER OR PROVIDE CO MOST PROGRAM APPROVED TRAINING COURSES, ~~be eligible to use MOST Program funds for a MOST Instructor Training Course, a CO MOST Vendor must first: obtain approval from the MOST Program Office and provide the following information to the MOST Program Office;~~

8.1.1. OBTAIN CERTIFICATION FROM THE CO MOST PROGRAM OFFICE; ~~A statement confirming that the CO MOST Instructor Training Course will be provided by a Certified MOST Instructor Trainer or equivalent in another state; and~~

8.1.2. AGREE THAT ALL CO MOST PROGRAM APPROVED COURSES SUPPORTED THROUGH THE CO MOST PROGRAM OFFICE (COURSE MATERIALS, BOOKS, ETC.) ARE OFFERED TO ALL CO MOST INSTRUCTORS. CO MOST PROGRAM APPROVED COURSES ALSO SUPPORTED THROUGH THE CO MOST PROGRAM MUST BE OPEN TO ALL COLORADO RESIDENTS WHO ARE QUALIFIED CO MOST

RIDERCOACH/INSTRUCTOR CANDIDATES, REGARDLESS OF WHERE OR THROUGH THE CO MOST PROGRAM APPROVED INSTRUCTOR TRAINING IS PROVIDED. AGREEMENT MAY BE RECORDED THROUGH ELECTRONIC MEANS. ~~A copy of the approved MOST Instructor Training Course to the MOST Program Office.~~

8.1.2.1. REGARDLESS OF WHETHER A MOST INSTRUCTOR TRAINING COURSE IS SUPPORTED THROUGH THE CO MOST PROGRAM, ALL APPLICABLE CO MOST PROGRAM VENDOR, STUDENT, AND COURSE REPORTING REQUIREMENTS MUST BE SATISFIED.

8.1.3. ~~Provide the following information to the CO MOST Program Office: To be approved as a Certified MOST Instructor Training Course, the materials provided must demonstrate that:~~

8.1.3.1. IN-STATE VS OUT-OF-STATE INSTRUCTOR TRAINERS. A statement confirming that the CO MOST PROGRAM APPROVED Instructor Training Course will be provided by a ~~Certified~~ CO MOST PROGRAM CERTIFIED Instructor Trainer or AN OUT-OF-STATE APPROVED COURSE INSTRUCTOR TRAINER EQUIVALENT. ~~In another state; and~~ IN THE EVENT AN OUT-OF-STATE APPROVED COURSE TRAINER IS SCHEDULED TO DELIVER A CO MOST PROGRAM APPROVED TRAINING COURSE, THE OUT-OF-STATE INSTRUCTOR TRAINER MUST CONSENT TO ABIDE BY ALL APPLICABLE CO MOST PROGRAM INSTRUCTOR STANDARDS. CONSENT MAY BE RECORDED THROUGH ELECTRONIC MEANS. ~~The MOST Course content is research based and provides adequate instruction to teach all components of a specific MOST Program approved Motorcycle training curriculum;~~

8.1.3.2. A STATEMENT FROM THE CO MOST PROGRAM CERTIFIED VENDOR ACKNOWLEDGING RESPONSIBILITY TO FIRST SEEK AND USE CERTIFIED CO MOST PROGRAM INSTRUCTORS OR INSTRUCTOR TRAINERS AVAILABLE WITHIN COLORADO BEFORE SEEKING OUT AND USING MOST PROGRAM INSTRUCTORS OR INSTRUCTOR TRAINERS FROM OUTSIDE OF COLORADO. ~~Any Course content specific to BRC is research based and provides adequate instruction to teach all components of the BRC;~~

8.1.3.3. ~~Course content imparts to the student instructors in attendance the BRC material, knowledge of safe Motorcycle operating practices, and the necessary aptitude for instructing students; and~~

8.1.3.4. ~~The instructor training includes information on the effects of alcohol and drugs on the operation of motorcycles.~~

~~**8.1.4.** The MOST Program Office will maintain a copy of the complete text of Course materials for every approved MOST Instructor Training Course. Any person may obtain information or copies of approved MOST Instructor Training Course~~

~~materials by submitting an Open Records Request through the CSP Central Records Unit (CRU).~~

- 8.2. CO MOST COURSE GUIDELINES ~~BRC CERTIFICATION.~~** ~~A BRC must be certified by the MOST Program Office before it may be offered.~~ **ALL CDOR-RECOGNIZED MOTORCYCLE LICENSE-WAIVING TRAINING COURSES MUST RECEIVE CO MOST PROGRAM CERTIFICATION BEFORE THEY MAY BE OFFERED TO STUDENTS IN COLORADO.** To be eligible for ~~certification~~ **APPROVAL IN COLORADO, COURSES SUBMITTED TO THE CO MOST PROGRAM** ~~a BRC must:~~

- 8.2.1.** Be submitted as part of a written request for review by the **CO MOST Program Office** and the CDOR.

8.2.1.1. **SUBMITTED MATERIALS RECEIVED BY THE CO MOST PROGRAM OFFICE WILL BE SUBJECT TO A THIRD-PARTY REVIEW FOR PURPOSES OF COPYRIGHT INFRINGEMENT DETERMINATION PRIOR TO BEING SHARED WITH THE CDOR. THE CO MOST PROGRAM WILL ARRANGE COPYRIGHT REVIEW SERVICES FOR COURSE APPLICATIONS RECEIVED.**

8.2.1.2. **COURSE APPLICATION SUBMISSIONS DETERMINED TO VIOLATE COPYRIGHTS OF EXISTING NATIONAL OR STATE-DEVELOPED CURRICULA WILL BE REJECTED WITH AN EXPLANATION IN WRITING DETAILING THE INFRINGEMENT DETERMINED. SUBMISSIONS DETERMINED TO CONTAIN MATERIAL IN VIOLATION OF COPYRIGHTS ATTACHED TO EXISTING MOST OR CO MOST PROGRAM APPROVED COURSES WILL REMAIN ON FILE WITH THE CO MOST PROGRAM, BUT WILL NOT BE FORWARDED TO THE CDOR.**

- 8.2.2. ~~8.1.2.~~ CO MOST COURSE REQUIREMENTS.** ~~Meet the CDOR's requirements for issuing a Colorado driver's license endorsement.~~ **A COMPLETE** copy of the **PROPOSED Training Course MUST BE PROVIDED to the CO MOST Program Office.**

~~8.1.3.~~ FOR EVALUATION AND ASSESSMENT. TO BE approved as a CO MOST PROGRAM Course, the materials provided AS PART OF THE APPLICATION must demonstrate that **THE COURSE MEETS** the CDOR's requirements to issue a **COLORADO Driver's License Motorcycle endorsement AND MEETS THE FOLLOWING REQUIREMENTS:**

8.2.2.1. ~~8.1.3.1.~~ The **PROPOSED MOST Course content** is research-based and provides ~~adequate~~ **APPROPRIATE instruction CONTENT** to teach all components of a specific **CO MOST Program approved Motorcycle Training Curriculum** ~~COURSE~~;

8.2.2.2. ~~8.1.3.2.~~ **THE COURSE PROVIDES ADEQUATE INSTRUCTION AND METHODOLOGIES TO TEACH ALL COMPONENTS** ~~Any Course content specific to BRC is research-based and provides adequate instruction to teach all components of the BRC;~~

~~8.2.2.3. 8.1.3.3.~~ THE Course content imparts to the student instructors in attendance knowledge of safe Motorcycle operating practices, and the necessary aptitude for instructing CO MOST students, CONSISTENT WITH §43-5-502, CRS; and

~~8.2.2.4. 8.1.3.4.~~ The instructor training includes information on COURSE ADDRESSES the effects of alcohol, drugs, AND OTHER OPERATOR IMPAIRMENTS on the operation of motorcycles, AS IS ALSO CONSISTENT WITH §43-5-502, CRS.

~~8.2.4. 8.1.4.~~

~~8.2.2.5. 8.2.5.~~ THE COURSE IS Be organized and comprised of APPLICABLE content based upon documented research and demonstrated effective in providing safety training. ANY BASIC OR NOVICE MOTORCYCLE RIDER COURSE MUST BE consistent with the Model National Standards for Entry-Level Motorcycle Rider Training in effect as of August 2011 JANUARY 2021, hereby incorporated into the rules by reference, excluding any later amendments.

~~8.2.2.5.1. 8.2.5.1.~~ The Model National Standards for Entry-Level Motorcycle Training ARE will be available for copying or public inspection during regular business hours from AT the CO MOST Program Office.

~~8.2.2.6. 8.2.6.~~ IncludeS an evaluation of the student's knowledge and skill as it EACH relates to the SAFE operation of a Motorcycle. Successful completion of a BRC by a student requires a passing SCORE of both a written CO MOST PROGRAM APPROVED COURSE Knowledge test and an on-cycle MOTORCYCLE SKILLS TEST evaluation.

~~8.2.2.7. 8.2.7.~~ Requires that all CO MOST PROGRAM APPROVED eCourse participants and MOST Program Instructors wear protective gear WHENEVER SEATED ON A MOTORCYCLE DURING INSTRUCTION OF A COURSE, including:

~~8.2.2.7.1. 8.2.7.1.~~ A USDOT-Compliant Motorcycle helmet;

~~8.2.2.7.2. 8.2.7.2.~~ Eye protection;

~~8.2.2.7.3. 8.2.7.3.~~ A Long-Sleeved shirt or jacket;

~~8.2.2.7.4. 8.2.7.4.~~ FULL-FINGERED gloves;

~~8.2.2.7.5. 8.2.7.5.~~ Long-legged pants OF DURABLE MATERIAL PROVIDING AN APPROPRIATE LEVEL OF COVERAGE AND PROTECTION; and

~~8.2.2.7.6. 8.2.7.6.~~ Sturdy b Boots or shoes OF STURDY CONSTRUCTION AND DESIGN that covers THE ANKLE WHEN sitting upon a Motorcycle.

8.2.2.8. INCLUDE EVIDENCE AND INFORMATION RELATING TO THE TRAINING, EVALUATION, AND ASSESSMENT PROTOCOL NECESSARY TO ENSURE THE INTEGRITY OF THE INSTRUCTION PROVIDED, INSTRUCTION OF INSTRUCTORS, AND THE OVERALL EXISTENCE AND SUFFICIENCY OF REQUIRED CO MOST PROGRAM APPROVED COURSE ELEMENTS ADDRESSED BY THESE RULES, THE CO MOST PNP, THE CO MOST PROGRAM-~~VENDOR~~ AGREEMENT, CO MOST PROGRAM INSTRUCTOR REQUIREMENTS, APPLICABLE CO MOST PROGRAM APPROVED COURSES, AND APPLICABLE STATE LAWS. EVIDENCE AND INFORMATION PROVIDED MUST SPECIFICALLY ADDRESS COMPLIANCE OF THE COURSE AND ITS INSTRUCTORS WITH ALL RELATED CO MOST PROGRAM COURSE TRAINING REQUIREMENTS AND THE CO MOST PROGRAM QUALITY ASSURANCE REQUIREMENTS. ADDITIONAL GUIDANCE REGARDING RECOMMENDED ELEMENTS AND REQUIREMENTS TO BE INCLUDED AS PART OF A CO MOST COURSE SUBMISSION TO THE CO MOST PROGRAM OFFICE MAY BE REVIEWED IN THE CO MOST PROGRAM PNP. MINIMALLY, EACH CO MOST COURSE APPLICATION MUST:

8.2.2.8.1. IDENTIFY HOW THE COURSE PROPOSED MEETS CO MOST PROGRAM APPROVAL REQUIREMENTS, NATIONALLY RECOGNIZED BEST PRACTICES AND STANDARDS, AND DEFINE HOW ANY TWO-WHEEL LEVEL I VS. LEVEL II AND/OR THREE-WHEEL LEVEL I VS. LEVEL II ARE CONSISTENT THEREWITH.

8.2.2.8.2. DESCRIBE AND IDENTIFY THE METHODOLOGY THAT WILL BE APPLIED WHEN INCORPORATING CHANGES AND UPDATES TO COURSES, VERIFYING THAT CHANGES AND UPDATES WILL NOT OPERATE IN OPPOSITION TO CURRENT VERSIONS OF CO MOST PROGRAM APPROVED COURSES.

8.2.2.8.3. DESCRIBE AND IDENTIFY MEASURES OF ACCOUNTABILITY AND ASSESSMENT THAT APPLY TO THE MEASUREMENT, EVALUATION, AND REPORTING OF THE EFFECTIVENESS OF CURRENT OPERATION AND OF PROGRAM AMENDMENTS AND UPDATES. THESE MEASURES OF ACCOUNTABILITY AND ASSESSMENT MUST SPECIFICALLY IDENTIFY CONSISTENCY AND INCONSISTENCY WITH APPLICABLE CO MOST PROGRAM APPROVED COURSE REQUIREMENTS, THESE RULES, AND OTHER APPLICABLE CO MOST PROGRAM REQUIREMENTS.

8.2.2.8.4. CONFIRM THAT ALL APPROPRIATE AND ADEQUATE RESOURCES NECESSARY TO DELIVER TRAINING AND/OR MATERIALS ARE AVAILABLE AND/OR WILL BE ACQUIRED AND MADE AVAILABLE TO ALL CO MOST PROGRAM APPROVED TRAINING SITES AND INSTRUCTORS.

8.2.2.8.5. DESCRIBE AND IDENTIFY THE INSTRUCTION METHOD(S) PROPOSED AND HOW THE METHOD(S) SUPPORT EFFECTIVE RESEARCH-BASED TRAINING STANDARDS AND PEDAGOGY FOR THE SAFE OPERATION OF TWO OR THREE-WHEEL MOTORCYCLES.

8.2.2.8.6. INCLUDE WRITTEN DOCUMENTATION CONFIRMING THE LEGAL AUTHORITY OR OWNERSHIP FROM THE COURSE OWNER OR PROVIDER, GRANTING LEGAL LICENSE OR OTHER AUTHORIZATION TO THE COURSE APPLICANT TO USE THE NAME, PRODUCTS, LIKENESS, LOGOS, IMAGES, VIDEOS, ETC., OF THE COURSE OWNER OR PROVIDER. APPLICANT MUST ALSO COMPLETE A WRITTEN STATEMENT THAT SUCH AUTHORIZATION OR LICENSE BETWEEN THE APPLICANT AND THE COURSE OWNER OR PROVIDER WILL BE MAINTAINED IN GOOD STANDING FOR THE TERM OF ANY CONTRACT OR AGREEMENT APPLICABLE THERETO. THE AGREEMENT OR CONTRACT BETWEEN THE COURSE PROVIDER AND THE APPLICANT MUST EXTEND TO COVER ANY COURSE AMENDMENTS, CHANGES, AND UPDATES OF A COURSE SUBMITTED TO THE CO MOST PROGRAM FOR THE DURATION THE COURSE IS APPROVED FOR USE IN COLORADO THROUGH THE CO MOST PROGRAM. THE CO MOST PROGRAM RESERVES THE RIGHT TO REQUIRE UPDATED INFORMATION REGARDING AUTHORITY OR LICENSE FROM A COURSE OWNER OR PROVIDER FOR AN CO MOST PROGRAM APPROVED COURSE.

8.2.2.9. APPLICANTS MUST AGREE THAT, IN THE EVENT OF ANY LEGAL CHALLENGE TO THE LEGAL USE OF COURSE CONTENT, WRITTEN NOTICE WILL BE FORWARDED TO THE CO MOST PROGRAM OFFICE WITHIN FIVE (5) BUSINESS DAYS. FURTHERMORE, IN THE EVENT OF A LEGAL DECISION VOIDING THE PRIOR LEGAL USE OF THE CO MOST PROGRAM APPROVED COURSE OR ITS MATERIALS, WRITTEN NOTICE WILL BE FORWARDED TO THE CO MOST PROGRAM OFFICE WITHIN 48 HOURS.

8.2.2.10. THE CO MOST PROGRAM RESERVES THE RIGHT TO REASONABLY LIMIT THE NUMBER OF STUDENTS PARTICIPATING IN ANY CO MOST PROGRAM APPROVED COURSE, AND THE RIGHT TO APPROVE, DISAPPROVE, OR RESTRICT PROPOSED METHODS OF INSTRUCTION, CONSISTENT WITH NATIONALLY RECOGNIZED COACH-TO-STUDENT RATIOS.

8.2.3. ~~**8.2.8.** Require and COMPLY-commit WITH THE-that the Instructor-to-Student Ratio STANDARDS AND BEST PRACTICES SET FORTH-for BRC will confirm to the standards set forth in the APPLICABLE approved CO MOST PROGRAM APPROVED curriculum COURSES. Instill in the student the knowledge, attitudes, habits, and skills necessary for the operation of a Motorcycle as required by §43-5-503, CRS.~~

- 8.2.4.** ~~8.2.9.~~ The CO MOST Program Office will maintain a copy of the complete-text of the certified Course materials for every CO MOST PROGRAM approved-BRC COURSE. Any person may-obtain REQUEST information ABOUT AN-or copies of certified-BRC APPROVED CO MOST COURSE OR ITS materials by contacting the MOST Program Office during-normal-business-hours-SUBMITTING A REQUEST THROUGH THE CSP CENTRAL RECORDS UNIT (CRU). Include-instruction-relating to the effects of alcohol and/or drugs-on the operation of Motorcycles, as required by §43-5-502, CRS.
- 8.2.5.** ~~8.2.10.~~ A list of all current CSP-approved-BRCs-CO MOST PROGRAM APPROVED COURSES will be maintained by the CO MOST Program Office. Be-organized-and comprised of content based upon documented research and demonstrated as effective in providing safety training consistent with the Model National Standards for Entry-Level Motorcycle Rider Training in effect as of August 2011, hereby incorporated into the rules by reference, excluding any later amendments.
- ~~8.2.5.1.~~ The Model National Standards for Entry-Level Motorcycle Training will be available for copying or public inspection during regular business hours from the MOST Program Office.
- 8.2.6.** ~~8.2.11.~~ Approval-and-/Certification of a-BRC MOST COURSE SUBMITTED FOR CO MOST PROGRAM APPROVAL by the MOST Program may take up to one (1) calendar year following the submission of a complete COURSE application. Include-an-evaluation of the student's knowledge and skill as it relates to the operation of a Motorcycle. Successful completing of a BRC by a student requires the passing of both a written knowledge test and an on-cycle evaluation.
- 8.2.7.** ~~8.2.11.1.~~ THE CO MOST PROGRAM WILL ENGAGE AN INDEPENDENT THIRD-PARTY CURRICULA/COURSE REVIEW BODY TO FACILITATE AND COMPLETE THE INITIAL COURSE DOCUMENT REVIEW. AN INITIAL DOCUMENT REVIEW WILL BE COMPLETED NO SOONER THAN 90 DAYS FOLLOWING THE COMPLETION OF A CO MOST PROGRAM COPYRIGHT REVIEW OF A COURSE SUBMISSION. Certification of a BRC requires completion of an on-site review of the proposed course in its entirety by the MOST Program or its agent(s). It is the responsibility of the person submitting the BRC for Certification to cooperate in good faith with the MOST Program or its agent(s) to complete this requirement. Delay of this requirement may delay the certification of a BRC beyond the aforementioned single calendar year. including: 8.2.7.1. A USDOT-compliant Motorcycle helmet; 8.2.7.2. Eye protection; 8.2.7.3. A king-sleeved shirt or jacket; 8.2.7.4. Gloves; 8.2.7.5. A Long-sleeved shirt or jacket; and 8.2.7.6. Sturdy boots or shoes that cover the ankle when sitting upon a Motorcycle.
- 8.2.8.** ONCE THE INITIAL DOCUMENT REVIEW OF A COURSE APPLICATION SUBMISSION IS COMPLETE, THE CO MOST PROGRAM WILL DELIVER WRITTEN NOTICE TO THE COURSE APPLICANT TO SCHEDULE THE COMPLETION OF AN ON-SITE review EVALUATION AND AUDIT OF THE COURSE SEEKING CO MOST PROGRAM

~~APPROVAL. Require and commit that the Instructor to Student ratio for BRC will conform to the standards set forth in the approved curriculum.~~

~~8.2.8.1. 8.2.11.2. Completion of an on-site review~~ **EVALUATION AND AUDIT** of a proposed Course in its entirety by the CO MOST Program or its agent(s) **IS REQUIRED FOR A COURSE TO RECEIVE APPROVAL FROM THE CO MOST PROGRAM.** ~~Approval or denial of a Certification of a BRC will be completed no sooner than 90 days following completion of the on-site review requirement by the MOST Program or its agent(s).~~

~~8.2.8.2. 8.2.6.4.~~ It is the responsibility of the applicant applying for a **CO MOST PROGRAM APPROVAL OF A COURSE** ~~BRC~~ Certification to cooperate in good faith with the CO MOST Program ~~or~~ **AND** its agent(s) to complete these requirements. Delay of **THE SITE EVALUATION AND AUDIT** ~~these requirements~~ may also delay the **CO MOST PROGRAM APPROVAL** of a **BRC** ~~COURSE~~ beyond a single calendar year.

8.2.9. Approval or denial of a **CO MOST BRC** ~~COURSE APPLICATION~~ will be **ISSUED IN WRITING** by the CO MOST Program or its agent(s) no sooner than 90 days after the completion of ~~the AN on-site review~~ **EVALUATION AND AUDIT.**

~~8.2.10.~~ A list of all current CSP-approved BRCs will be maintained by the MOST Program Office.

~~8.2.11.~~ Approval and certification of a BRC by the MOST Program may take up to one (1) calendar year following the submission of a complete application.

~~8.2.11.1.~~ ~~Completion of a BRC requires completion of an on-site review of the proposed course in its entirety by the MOST Program or its agent(s). It is the responsibility of the person submitting the BRC certification to cooperate in good faith with the MOST Program or its agent(s) to complete this requirement. Delay of this requirement may delay the certification of a BRC beyond the aforementioned single calendar year period.~~

~~8.2.11.2.~~ Approval or denial of certification of a BRC will be completed no sooner than 90 days following completion of the on-site review requirement by the MOST Program or its agent(s)?

9. CO MOST PROGRAM VENDOR AND INSTRUCTOR QARS

9.1. CO MOST PROGRAM QARS. CO MOST Program Vendors and Instructors will be subject to periodic QARs by CO MOST Program Office personnel, or its agents to assess the compliance of Vendors and Instructors with all applicable statutes, ~~contractual~~ **CO MOST VENDOR PROGRAM AGREEMENT** obligations, policies and procedures, **APPLICABLE CO MOST PROGRAM APPROVED COURSES, THE CO MOST PNP,** and these rules. All CO MOST

Program **CERTIFIED** Vendors and **CERTIFIED** Instructors are required to comply completely **IN GOOD FAITH** and participate in all QARs as **MAY BE** required by the **CO** MOST Program.

9.1.1. QARs will **BE COMPLETED UPON EACH PARTICIPATING CO MOST PROGRAM VENDOR** occur at least once a **PER** year and will include **THE** evaluation of **ALL APPLICABLE ELEMENTS OF THE CO MOST PROGRAM AS EACH ARE DISCUSSED WITHIN THE CO MOST PROGRAM PNP.**

~~**9.1.1.1.** Compliance of MOST Vendor reporting requirements;~~

~~**9.1.1.2.** Training Sites;~~

~~**9.1.1.3.** Security and proper use of MOST Course completion cards;~~

~~**9.1.1.4.** Vendors and Instructors utilizing and following the approved and applicable MOST Course curriculum;~~

~~**9.1.1.5.** Compliance of the physical range with the range diagram, including clarity of markings, provided for approval by the MOST Vendor to the MOST Program Office;~~

~~**9.1.1.6.** Adequacy of facility classroom equipment and accommodations;~~

~~**9.1.1.7.** Students and Instructors wear proper protective gear while on the range;~~

~~**9.1.1.8.** The compliance of Motorcycles provided by the MOST Vendor or allowed to be used by students by MOST Instructors when attending a MOST Course with these rules; and~~

~~**9.1.1.9.** Performance and practices of MOST Program Instructors, as applicable and specifically related to:~~

~~**9.1.1.9.1.** MOST Instructor reporting requirements;~~

~~**9.1.1.9.2.** Adherence to and effective communication of the approved and applicable MOST Course curriculum;~~

~~**9.1.1.9.3.** Proper demonstration of range exercises related to the course of instruction;~~

~~**9.1.1.9.4.** Use of proper coaching techniques; and~~

~~**9.1.1.9.5.** Exercise of appropriate awareness and engagement by being in the proper location and position for range exercises.~~

9.2. The **CO** MOST Program Office or its agents will provide **FORWARD** copies upon request of any QAR reports to a **CO** MOST Program Vendor or **CO** MOST Program Instructor upon which the **A** QAR was **IS** completed within **10 BUSINESS DAYS** a reasonable amount of time following **THE** completion **AND RECEIPT** of the QAR. **IF THE CO MOST PROGRAM IS UNABLE TO DELIVER A COPY OF THE COMPLETED QAR WITHIN 10 BUSINESS DAYS OF ITS**

COMPLETION, THE CO MOST PROGRAM WILL FORWARD A WRITTEN EXPLANATION FOR THE DELAY AND INDICATE A TIMELINE FOR DELIVERY.

- 9.3. QARs ARE TO BE COMPLETED, DOCUMENTED, AND SUBMITTED CONSISTENT WITH THE CO MOST PROGRAM PNP. AT A MINIMUM, QARs will-MUST** formally document, provide explanation of, and clearly indicate any area(s) that a **CO MOST Program Vendor** or Instructor is not in compliance with applicable statutes, rules, **CO MOST PROGRAM policies, APPLICABLE CO MOST PROGRAM APPROVED COURSES, THE CO MOST PNP,** and/or ~~contractual~~**CO MOST PROGRAM AGREEMENT** obligations, and provide direction on how to remedy any noncompliance **IDENTIFIED.**
- 9.3.1. QARs may also document other areas of concern requiring the attention of the A CO MOST Program vVendor or Instructor that do not yet WARRANT FORMAL CORRECTION OR** rise to the level of **ACTUAL** noncompliance with applicable statutes **AND CO MOST PROGRAM APPROVED COURSES, CO MOST PROGRAM AGREEMENTS, CO MOST PROGRAM CRITERIA, PROCEDURES, AND/OR POLICIES.** ~~, rules, policies, and/or contractual obligations, and provide direction on how to remedy any noncompliance.~~
- 9.4. The CO MOST Program will require a CO MOST Program Vendor or Instructor to remedy any noncompliance with applicable statutes AND CO MOST PROGRAM APPROVED COURSES, CO MOST PROGRAM AGREEMENTS, CO MOST PROGRAM CRITERIA, PROCEDURES, AND/OR POLICIES.** ~~, rules, policies, and/or contractual obligations, and address any other issues of concern identified by a QAR within a specified time period or time periods.~~
- 9.4.1. Any action to remedy any noncompliance or issues-AREAS** of concern identified by a QAR will be scheduled as directed by the **CO MOST Program Office** to first address those items related to statute, **THESE RULES, rule, policy, or contractual compliance-APPLICABLE CO MOST PROGRAM APPROVED COURSES, APPLICABLE CO MOST AGREEMENTS, AND THE CO MOST PNP. ANY ACTION TAKEN WILL OCCUR CONSISTENT WITH THESE RULES AND OTHER APPLICABLE CO MOST PROGRAM APPROVED CRITERIA, PROCEDURES, AND POLICIES.** ~~The a~~**Affected CO MOST Program VendorS or InstructorS will take REMEDIAL such**-actions at the direction of the **CO MOST Program Office.**
- 9.4.2. The CO MOST Program Office may conduct a follow-up QAR to confirm CORRECTION AND** compliance.
- 9.5. In the event a CO MOST Program Vendor fails to adequately correct noncompliance with APPLICABLE CO MOST PROGRAM VENDOR REQUIREMENTS AS DIRECTED BY THE COLORADO MOST PROGRAM OFFICE, the CO MOST Program Office will TAKE ACTION CONSISTENT WITH THE CO MOST PROGRAM ACCOUNTABILITY AND RESOLUTION MATRIX.** ~~statutes, rules, policies, and/or contractual obligations identified in a QAR, the MOST Program Office will notify the that training by the affected MOST Program Vendor is suspended and no longer valid for purposes of training for endorsements on Colorado driver's licenses.~~

- 9.5.1. **CONSISTENT WITH THE CO MOST PROGRAM ACCOUNTABILITY AND RESOLUTION MATRIX AND APPLICABLE PROVISIONS OF COLORADO STATUTES, THE CO MOST PROGRAM WILL NOTIFY THE CDOR IN WRITING REGARDING THE SUSPENSION OR REVOCATION OF A CO MOST VENDOR BY THE CO MOST PROGRAM AND THE EFFECTIVE DATE(S) THEREOF.**
- 9.5.2. Any training provided by ~~the~~ **A SUSPENDED CO MOST PROGRAM VENDOR AS OF AND AFTER THE EFFECTIVE DATE OF SUSPENSION** will ~~BE~~ **remain** invalid until the CO MOST Program Office determines ~~that any~~ **THE noncompliance IDENTIFIED** has been corrected **AND/OR IS NO LONGER PRESENT**. ~~And the MOST Program Vendor is no longer suspended or becomes recertified or reinstated, pursuant to these rules.~~ **THE CO MOST PROGRAM OFFICE WILL NOTIFY THE CDOR IN WRITING OF ANY DECISION TO LIFT THE SUSPENSION OF OR REINSTATE THE VALID TRAINING STATUS OF A CO MOST PROGRAM VENDOR AND THE EFFECTIVE DATE(S) THEREOF.**

9.6. If, in the opinion of the CO MOST Program Office, CSP , or its agent(s), a situation manifests itself during a QAR that poses an immediate threat to the health, safety, or welfare of a student or students, or to personnel on **A CO MOST PROGRAM APPROVED COURSE** ~~the~~ **range**, the CO MOST Program, CSP, or its agent(s) will immediately inform the CO MOST Program Instructor(s) present and direct them to correct the situation.

- 9.6.1. If ~~the~~ **A CO MOST Program Instructor(s) OR INSTRUCTORS** fail to adequately address the threat identified, the CO MOST Program, CSP, or its agent(s) will have the discretion to immediately **SUSPEND OR** terminate the **CO MOST APPROVED** Course until ~~such time~~ the issue is adequately addressed.

10. DENIAL, LIMITATION, SUSPENSION, REVOCATION, AND REINSTATEMENT OF CO MOST PROGRAM ~~VENDORS OR INSTRUCTORS~~ CERTIFICATIONS

10.1. **NOTICE OF CO MOST PROGRAM VENDOR OR INSTRUCTOR DENIAL, LIMITATION, REVOCATION, ~~SUSPENSION OR~~ AND REINSTATEMENT. ~~OF A MOST CERTIFICATION~~** A CO MOST Program Vendor or CO MOST Program Instructor will be notified by the CO MOST Program Office in writing of any ~~certification~~ denial, limitation, suspension, revocation, or reinstatement action **AFFECTING THE PARTICIPATION OF EITHER IN THE CO MOST PROGRAM**, consistent with §24-4-104, CRS.

- 10.1.1. **CONSISTENT WITH THE CO MOST PROGRAM ACCOUNTABILITY AND RESOLUTION MATRIX AND APPLICABLE PROVISIONS OF COLORADO STATUTES, THE CO MOST PROGRAM WILL NOTIFY THE CDOR IN WRITING REGARDING THE SUSPENSION OR REVOCATION OF A CO MOST PROGRAM INSTRUCTOR BY THE CO MOST PROGRAM AND THE EFFECTIVE DATES THEREOF.**

10.1.2. ANY TRAINING PROVIDED BY A CO MOST PROGRAM INSTRUCTOR AS OF AND AFTER THE EFFECTIVE DATE(S) OF SUSPENSION OR REVOCATION WILL BE INVALID UNTIL THE CO MOST PROGRAM OFFICE DETERMINES THE NONCOMPLIANCE IDENTIFIED HAS BEEN CORRECTED AND/OR IS NO LONGER PRESENT. THE CO MOST PROGRAM OFFICE WILL NOTIFY THE CDOR IN WRITING OF ANY DECISION TO LIFT THE SUSPENSION OR REINSTATE THE VALID TRAINING STATUS OF A CO MOST PROGRAM INSTRUCTOR, AND THE EFFECTIVE DATE(S) THEREOF.

10.2. CO MOST PROGRAM VENDOR DENIAL, LIMITATION, SUSPENSION, AND REVOCATION OF CERTIFICATIONS. The CO MOST Program Office may deny, limit, suspend, or revoke the ~~certification~~ **CO MOST PROGRAM CERTIFICATION** of a CO MOST Program Vendor for any action or omission violating the purposes, scope, or ~~terms~~, **EFFECT** of applicable state law, **THESE RULES**, CO MOST Program ~~contractual~~ agreements, CO MOST Program policies, **PROCEDURES AND CRITERIA, THE CO MOST PNP AND APPLICABLE CO MOST PROGRAM APPROVED COURSES** ~~or these rules~~. Grounds for denial, limitation, suspension, or revocation of a CO MOST **PROGRAM** Vendor ~~Certification~~ may include:

10.2.1. Knowingly presenting or allowing to be presented to the CO MOST Program Office any false or misleading information relating to a ~~Certification~~ **CO MOST PROGRAM VENDOR CERTIFICATION** requirement or CO MOST PROGRAM VENDOR compliance pursuant to these rules;

10.2.2. Permitting or engaging in any fraud or fraudulent practice concerning an applicant for a Motorcycle license, **WAIVER**, or permit;

10.2.3. Knowingly or recklessly disregarding, changing, or failing to comply with any requirements of the rules or other applicable lawS and standards relevant to **THE CO MOST PROGRAM**, subject to the provisions of §24-5-101, CRS;

10.2.4. Failing to correct known non-compliance identified by a QAR within the ~~time~~ **RESPONSE PERIOD** ~~provided~~ **DEFINED** by **THROUGH** the CO MOST PROGRAM **CSP**;

10.2.5. Having two (2) QARs identifying consistent ~~or major programs~~, **REPETITIVE, AND/OR DIFFERENT INFRACTIONS OF SIMILAR SEVERITY RISING TO A LEVEL OF** non-compliance within a six (6) month period;

10.2.6. Obtaining a CO MOST Program **VENDOR CERTIFICATION** based upon false or incorrect information or mistake;

10.2.7. Engaging in a pattern or a continuing course of misconduct of harassing, **DISCRIMINATORY**, or offensive behavior with a CO MOST PROGRAM student, other CO MOST Program Vendor(s), CO MOST OR MOST Program Instructors, the CO MOST Program Office, CSP, or its agents; **OR**

~~**10.2.8.** Identification of a failure of the MOST Program Vendor to comply with previously program-sponsored MOST Course student tuition subsidy benefits;~~

10.2.8. THE VIOLATION OF ANY APPLICABLE PROVISION OF THE CO MOST PROGRAM PNP. ~~The Certification of any MOST Program Vendor may be summarily suspended, pursuant to §24-4-104(4), CRS.~~

10.2.9. ~~The Certification of any~~ **ANY CO MOST Program Vendor may be summarily suspended, pursuant to §24-4-104 (4), CRS.**

10.3. CO MOST PROGRAM INSTRUCTOR DENIAL, LIMITATION, **SUSPENSION, AND **REVOCAION OF MOST PROGRAM INSTRUCTOR CERTIFICATIONS**.** ~~The CO MOST Program may deny, limit, suspend, or revoke the certification of a CO MOST Program INSTRUCTOR for any action or omission violating the purposes, scope, or terms~~ **EFFECT** of applicable state law, **THESE RULES, CO MOST Program contractual agreements, CO MOST Program policies, PROGRAMS AND CRITERIA, THE CO MOST PNP, AND/OR APPLICABLE CO MOST PROGRAM APPROVED COURSES.** ~~or these rules.~~ Grounds for denial, limitation, suspension, or revocation may include:

10.3.1. Offenses pursuant to §43-5-503 (3), CRS;

10.3.2. Knowingly presenting or allowing to be presented to the **CO MOST Program Office** any false or misleading information related to a ~~certification~~ **CO MOST PROGRAM INSTRUCTOR** requirement or compliance pursuant to these rules;

10.3.3. Permitting or engaging in any fraud or fraudulent practice concerning an application for a ~~m~~Motorcycle license, **WAIVER**, or permit;

10.3.4. Knowingly or recklessly disregarding, changing, or failing to comply with any requirements of these rules or other applicable laws or standards relevant to **THE CO MOST PROGRAM**, subject to the provisions of §24-5-101, **CRS**;

10.3.5. Failing to correct known non-compliance identified by a QAR within the ~~time~~ **RESPONSE** period ~~by~~ **THROUGH** the ~~CSP~~ **CO MOST PROGRAM**.

10.3.6. Having two (2) QARs identifying **CONSISTENT, REPETITIVE**, and/or different infractions of similar severity of program and major **RIISING TO A LEVEL OF** noncompliance within a six (6) month period;

10.3.7. Obtaining a CO MOST Program Instructor Certification based upon false or incorrect information or mistake;

10.3.8. Engaging in a pattern or a continuing course of conduct of harassing, **DISCRIMINATORY** or offensive behavior with a **CO MOST PROGRAM** student, **CO MOST Program Vendor(s)**, other **CO MOST AND MOST Program Instructors**, the **CO MOST Program Office, CSP**, or its agents;

10.3.9. ~~Having an incident of b~~ **Being impaired by alcohol and/or drugs while instructing or being present on a Training Site or Temporary Training Site while **ACTIVELY DELIVERING OR PERFORMING AS AN INSTRUCTOR OF A CO MOST APPROVED COURSE**; a MOST Course is being taught; or**

- 10.3.10.** Failing to attend the required minimum of one (1) **CO MOST PROGRAM APPROVED** PDW per year ~~without written approval of exemption secured in advance of the PDW from the MOST Program Office.~~ **AND/OR ANY OTHER REQUIRED CO MOST PROGRAM ANNUAL MEETING, CONFERENCE, OR CO MOST PROGRAM APPROVED TRAINING, CONSISTENT WITH THE TERMS AND CONDITIONS SET FORTH WITHIN THE CO MOST PNP;**
- 10.3.11.** **FAILING TO TEACH THREE (3) COMPLETE CO MOST PROGRAM APPROVED COURSES, OR THE EQUIVALENT THEREOF WITHIN THE ANNUAL CO MOST PROGRAM INSTRUCTOR CERTIFICATION PERIOD CONSISTENT WITH THESE RULES; AND** ~~The Certification of any MOST Program Instructor may be summarily suspended, pursuant to §24-4-104 (4), CRS.~~
- 10.3.12.** **THE VIOLATION OF ANY APPLICABLE PROVISION OR REQUIREMENTS SET FORTH WITHIN THE CO MOST PROGRAM PNP.**
- 10.3.13.** ~~The Certification of a~~ **Any CO MOST Program Instructor may be summarily suspended, pursuant to §24-4-104 (4), CRS.**
- 10.4. CO MOST PROGRAM REINSTATEMENT OF CO MOST VENDORS OR INSTRUCTORS LIMITED, SUSPENDED, OR REVOKED CERTIFICATIONS.** ~~UPON DETERMINATION BY THE CHIEF,~~ **THE** CO MOST Program Office may reinstate a CO MOST Program Vendor or ~~MOST Program Instructor~~ that has been limited, suspended, or revoked.
- 10.4.1.** ~~The Chief or his or her designee~~ will be responsible for determining when it is appropriate to reinstate a CO MOST Program Vendor or CO MOST Program Instructor.
- 10.4.2.** Reinstated CO MOST Program Vendors or CO MOST Program Instructors will be notified in writing ~~of any certification reinstatement,~~ **DELIVERED TO THE LAST KNOWN MAILING ADDRESS(ES) FOR A VENDOR OR INSTRUCTOR. IF AVAILABLE, NOTICE OF REINSTATEMENT WILL ALSO BE EMAILED TO THE LAST KNOWN EMAIL ADDRESS FOR A CO MOST VENDOR OR INSTRUCTOR PROVIDED TO THE CO MOST PROGRAM OFFICE.**
- 10.5. REINSTATEMENT OF A CO MOST PROGRAM VENDOR CERTIFICATION.** ~~In determining whether it is appropriate to reinstate a CO MOST Program Vendor, the Chief or his or her designee may consider:~~
- 10.5.1.** All relevant circumstances, including the performance and ~~satisfaction~~ **COMPLETION** of any remedial actions **DIRECTED BY THE CO MOST PROGRAM OFFICE** ~~required by the~~ **CONSISTENT WITH THE CO MOST PROGRAM ACCOUNTABILITY AND RESOLUTION MATRIX** ~~Program Office, as contemplated by these rules; and~~
- 10.5.2.** The CO MOST PROGRAM Vendor's compliance with all **APPLICABLE** requirements set forth within these rules, **RELEVANT STATUTES, CO MOST**

PROGRAM AGREEMENTS, APPLICABLE CO MOST PROGRAM APPROVED COURSES, AND THE CO MOST PNP.

10.6. REINSTATEMENT OF A CO MOST PROGRAM INSTRUCTOR-CERTIFICATION. In determining whether it is appropriate to reinstate a CO MOST Program Instructor, the Chief ~~or his or her designee~~ may consider:

10.6.1. All relevant circumstances, including the performance and ~~satisfaction~~ **COMPLETION** of any remedial actions by the Instructor **DIRECTED** required by the CO MOST Program Office **CONSISTENT WITH THE CO MOST PROGRAM ACCOUNTABILITY AND RESOLUTION MATRIX** ~~as contemplated by these rules;~~

10.6.2. Attendance and successful completion of a CO MOST **PROGRAM APPROVED** Instructor Training Course or, at minimum, **THE** successful completion of remedial training as directed by the CO MOST Program Office, **CONSISTENT WITH THE CO MOST PROGRAM COLORADO-SPECIFIC INSTRUCTOR COURSE REQUIREMENTS DETAILED WITHIN SECTION 7 OF THESE RULES; AND**

10.6.3. THE CURRENT COMPLIANCE OF A CO MOST INSTRUCTOR WITH ALL REASONABLY APPLICABLE CO MOST PROGRAM INSTRUCTOR REQUIREMENTS. ~~To be considered in support of reinstatement, a MOST Program Instructor must successfully complete all appropriate requirements and be in compliance with these rules.~~

11. APPEAL OF CO MOST PROGRAM VENDOR OR INSTRUCTOR DENIAL, LIMITATION, SUSPENSION, OR REVOCATION OF MOST CERTIFICATIONS

11.1. Any denial, limitation, suspension, or revocation ~~of~~ **AFFECTING** a CO MOST **PROGRAM** Vendor or **CO MOST PROGRAM** Instructor ~~Certification~~ required by **PURSUANT TO** these rules is subject to the applicable hearing provisions of §24-4-105, CRS.

12. PUBLICATIONS AND STANDARDS INCORPORATED BY REFERENCE

12.1. All publications, standards, guidelines, and rules adopted and incorporated by reference in these rules are on file and available for public request and inspection by contacting the **CSP CENTRAL RECORDS UNIT (CRU) OR THE CO MOST** Program Coordinator at 15055 S. Golden Road, Golden, CO., 80401-3990.

12.1.1. These rules do not include later amendments or editions of any publications, standards, guidelines, or rules other than approved changes in **CO MOST** Program **APPROVED Curricula-COURSES, THE CO MOST PNP, CO MOST PROGRAM AGREEMENTS, OR THE CO MOST ACCOUNTABILITY AND RESOLUTION MATRIX**, incorporated by reference.

12.1.2. All publications, standards, guidelines, and rules adopted and incorporated by reference in these rules will be provided to and made available for examination at any state publications depository library as required by §24-4-103 (12.5), CRS.

The following publications and standards referenced herein are adopted and promulgated as rules and regulations for the CO MOST Program ~~in accordance~~ **CONSISTENT** with §24-4-103 (12.5), CRS.

12.1.2.1. NHTSA's Model Standards for Entry-Level Motorcycle Training, [HTTPS://WWW.NHTSA.GOV/SITES/NHTSA/DOT/GOV/FILES/DOCUMENT S/811503.PDF](https://www.nhtsa.gov/sites/nhtsa/dot/gov/files/document/s/811503.pdf).

12.1.2.2. NHTSA Model National Administrative Standards for State Motorcycle Rider Training, (Report No. DOT HS 812071), Washington, DC: Author. This document is also available for download online at: ~~[HTTPS://WWW.NHTSA.GOV/SITES/NHTSA/DOT/GOV/FILES/DOCUMENT S/81201-MODELNATLADMINMOTORCYCLE.PDF](https://www.nhtsa.gov/sites/nhtsa/dot/gov/files/document/s/81201-modelnatladminmotorcycle.pdf)~~ [HTTP://WWW.NHTSA.GOV/STATICFILES/NTI/PDF/811503.PDF](http://www.nhtsa.gov/staticfiles/nti/pdf/811503.pdf)

12.1.2.3. CO MOST PNP, GOLDEN, COLORADO: CSP CO MOST PROGRAM. THIS DOCUMENT IS AVAILABLE ONLINE AT: [HTTPS://WWW.COMOST.COM](https://www.comost.com).

12.1.2.4. CO MOST PROGRAM ACCOUNTABILITY AND RESOLUTION MATRIX, GOLDEN, COLORADO: CSP CO MOST PROGRAM. THIS DOCUMENT IS AVAILABLE ONLINE AT: [HTTPS://WWW.COMOST.COM](https://www.comost.com).

12.1.2.5. CO MOST PROGRAM AGREEMENT (WITH TERMS AND CONDITIONS), GOLDEN, COLORADO: CSP CO MOST PROGRAM. THIS DOCUMENT IS AVAILABLE ONLINE AT: [HTTPS://WWW.COMOST.COM](https://www.comost.com).

12.1.2.6. CO MOST PROGRAM INSTRUCTOR CANDIDATE APPLICATION (WITH TERMS AND CONDITIONS), GOLDEN, COLORADO: CSP CO MOST PROGRAM. THIS DOCUMENT IS AVAILABLE ONLINE AT: [HTTPS://WWW.COMOST.COM](https://www.comost.com).

12.1.2.7. CO MOST PROGRAM INSTRUCTOR APPLICATION (NEW AND RENEWAL, WITH TERMS AND CONDITIONS), GOLDEN, COLORADO: CSP MOST PROGRAM. THIS DOCUMENT IS AVAILABLE ONLINE AT: [HTTPS://WWW.COMOST.COM](https://www.comost.com).

12.2. ~~**12.1.3.**~~ The CO MOST Program shall maintain **5** copies of the complete texts of each of the aforementioned adopted standards and ~~make THESE TEXTS them~~ **ARE** available for public inspection during regular business hours. Interested parties may inspect the referenced incorporated materials and/or obtain copies of the adopted standards for a reasonable fee by contacting the **CSP CRU, 700 KIPLING ST., LAKEWOOD, CO., 80215.** ~~MOST Program, 15055 S. Golden Road, Golden, CO.~~ Copies of the adopted standards are also available from the organization of original issue:

12.2.1. National Highway Traffic Safety Administration, (NHTSA), 1200 New Jersey Ave., SE, Washington, DC 20590.

12.2.2. CSP CO MOST PROGRAM OFFICE, 15055 S. GOLDEN ROAD, GOLDEN, CO. 80401-3990.

CHANGES IN **BLUE** TEXT REFLECT LANGUAGE EXISTING PREVIOUSLY WITHIN THIS RULE THAT IS PROPOSED FOR RELOCATION WITHIN THIS RULE. CHANGES IN **RED** TEXT REFLECT NEW CONTENT BEING PROPOSED FOR INCLUSION IN THIS RULE. TEXT APPEARING IN ~~STRIKE-OUT~~ TEXT IS CONTENT PROPOSED FOR DELETION.

12.3. ~~12.1.4.~~ These rules are available to the public and may be downloaded from the CSP **CO** MOST Program website.

13. SEVERABILITY

13.1. IF ANY PROVISION OF THESE RULES OR THE APPLICABILITY THEREOF TO ANY PERSON OR CIRCUMSTANCE IS DETERMINED TO BE UNLAWFUL OR INVALID, THE REMAINING PROVISIONS OF THESE RULES WILL NOT BE AFFECTED ABSENT A SPECIFIC REFERENCE THERETO.