

Chapter 757

(House Bill 1150)

AN ACT concerning

Vehicle Laws – Off-Highway Recreational Vehicles

FOR the purpose of altering the definition of “off-highway recreational vehicle” as it applies to the Maryland Vehicle Law to include a side-by-side utility vehicle; altering the fee for a certificate of title for an off-highway recreational vehicle; and generally relating to off-highway recreational vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–140.1 and 13–802
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Transportation

11–140.1.

(a) “Off-highway recreational vehicle” means a vehicle that is:

(1) A motor-assisted or motor-driven vehicle that:

(i) Is designed to carry only the operator of the vehicle on a seat or saddle designed to be straddled by the operator or is designed to carry only the operator of the vehicle and one passenger; and

(ii) Is commonly known as an all-terrain vehicle;

(2) **A MOTOR-ASSISTED OR MOTOR-DRIVEN VEHICLE THAT:**

(I) TRAVELS ON FOUR OR MORE TIRES;

(II) IS INTENDED FOR USE BY ONE OR MORE PERSONS;

(III) HAS THE FOLLOWING FEATURES:

1. A STEERING WHEEL FOR STEERING CONTROL;

2. A ROLL-OVER PROTECTIVE STRUCTURE;
3. AN OCCUPANT RETENTION SYSTEM;
4. NONSTRADDLE SEATING;
5. A MAXIMUM SPEED CAPABILITY EXCEEDING 30 MILES PER HOUR;
6. AN OVERALL WIDTH OF LESS THAN 80 INCHES, EXCLUSIVE OF ACCESSORIES; AND
7. AN ENGINE DISPLACEMENT OF LESS THAN 1,000 CUBIC CENTIMETERS; AND

(IV) IS COMMONLY KNOWN AS A SIDE-BY-SIDE UTILITY VEHICLE;

(3) A motorcycle that is designed for off-highway operation and is not eligible for registration as a Class D (motorcycle) vehicle under this article, commonly known as a dirt bike; or

[(3)] (4) A snowmobile.

(b) “Off-highway recreational vehicle” does not include:

(1) A farm vehicle as defined in § 13-911 of this article when used exclusively on farm property by a farmer; or

(2) Any vehicle when used on residential property for the purpose of landscaping, gardening, or lawn care.

(c) The Administration may establish by regulation other requirements for or limitations on the definition of “off-highway recreational vehicle”.

13-802.

(a) Except as provided in subsection (b) of this section and § 13-805 of this subtitle, the fee for each certificate of title issued under this title is \$100.

(b) (1) The fee for each certificate of title issued for a rental vehicle is \$50.

(2) THE FEE FOR EACH CERTIFICATE OF TITLE ISSUED FOR AN OFF-HIGHWAY RECREATIONAL VEHICLE IS \$35.

(3) The fee for each certificate of title issued for a motor scooter or a moped is \$20.

[(3)] (4) On the death of a joint owner of a vehicle, the Administration may not charge a fee for a new certificate of title issued for the vehicle to another joint owner who is the surviving spouse.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved by the Governor, May 25, 2017.