

HOUSE BILL 1150

R4

7lr2905

By: **Delegates McMillan and Folden**

Introduced and read first time: February 9, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Off-Highway Recreational Vehicles**

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

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

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

14 **Article – Transportation**

15 11–140.1.

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

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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".

1 13-802.

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

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

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

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

9 **[(3)] (4)** On the death of a joint owner of a vehicle, the Administration
10 may not charge a fee for a new certificate of title issued for the vehicle to another joint
11 owner who is the surviving spouse.

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