

Chapter 694

(Senate Bill 979)

AN ACT concerning

Vehicle Laws – All-Terrain Vehicles and Snowmobiles

FOR the purpose of prohibiting an individual from driving or attempting to drive an all-terrain vehicle or a snowmobile on portions of a highway in the State on which an all-terrain vehicle or a snowmobile is authorized unless the individual holds a driver's license or is exempt from certain licensing requirements; applying certain provisions of law relating to the operation of a snowmobile to the operation of an all-terrain vehicle; prohibiting a certain individual from operating an all-terrain vehicle or a snowmobile on certain property unless the individual is accompanied by a certain adult; authorizing a local authority in Garrett County to authorize a person to cross a highway in a certain manner on an all-terrain vehicle when operated under a certain speed; authorizing a local authority in Garrett County to authorize the operation of a snowmobile or an all-terrain vehicle on a certain portion of highway when operated under a certain speed; authorizing Garrett County to designate a certain portion of highway on which an all-terrain vehicle or a snowmobile may travel under a certain speed for certain purposes; altering the circumstances under which a local authority in Garrett County may authorize a snowmobile to travel on a highway; ~~authorizing each county and Baltimore City to regulate the operation of all-terrain vehicles, require the all-terrain vehicle to be registered, and impose a registration fee;~~ defining the term "all-terrain vehicles"; making conforming changes; making a stylistic change; and generally relating to all-terrain vehicles and snowmobiles.

BY renumbering

Article – Transportation

Section 11-103.3

to be Section 11-103.4

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 11-103.3 and 21-1130

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16-101(a), 21-104.1, and 25-102(a)(14), ~~and 25-102.1~~

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 11–103.3 of Article – Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 11–103.4.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

11–103.3.

“ALL–TERRAIN VEHICLE” MEANS A MOTOR VEHICLE THAT:

- (1) (I) IS DESIGNED FOR OFF–HIGHWAY USE;**
- (II) OPERATES ON AT LEAST THREE LOW–PRESSURE TIRES;**
- (III) HAS A SEAT OR SADDLE DESIGNED TO BE STRADDLED BY THE OPERATOR;**
- (IV) HAS HANDLEBARS FOR STEERING;**
- (V) IS INTENDED BY THE MANUFACTURER TO BE OPERATED BY A SINGLE OPERATOR; AND**
- (VI) MAY BE DESIGNED TO CARRY ONE PASSENGER; OR**
- (2) (I) IS DESIGNED FOR OFF–HIGHWAY USE;**
- (II) OPERATES ON FOUR OR MORE LOW–PRESSURE TIRES;**
- (III) HAS A BENCH OR BUCKET–STYLE SEATING; AND**
- (IV) HAS A STEERING WHEEL FOR STEERING.**

16–101.

(a) (1) An individual may not drive or attempt to drive a motor vehicle on any highway in this State unless:

[(1)] (I) The individual holds a driver’s license issued under this title;

[(2)] (II) The individual is expressly exempt from the licensing requirements of this title; or

[(3)] (III) The individual otherwise is specifically authorized by this title to drive vehicles of the class that the individual is driving or attempting to drive.

(2) ON PORTIONS OF A HIGHWAY IN THE STATE WHERE DRIVING AN ALL-TERRAIN VEHICLE OR A SNOWMOBILE IS AUTHORIZED BY THIS ARTICLE, AN INDIVIDUAL MAY NOT DRIVE OR ATTEMPT TO DRIVE AN ALL-TERRAIN VEHICLE OR A SNOWMOBILE ON THE HIGHWAY UNLESS:

(I) THE INDIVIDUAL HOLDS A DRIVER'S LICENSE ISSUED UNDER THIS TITLE; OR

(II) THE INDIVIDUAL IS EXPRESSLY EXEMPT FROM THE LICENSING REQUIREMENTS OF THIS TITLE.

21-104.1.

(a) Any person operating **AN ALL-TERRAIN VEHICLE OR** a snowmobile on any portion of a highway designated for **ALL-TERRAIN VEHICLE OR** snowmobile use under § 25-102(a)(14) of this article has all the rights granted to and is subject to all the duties required of the driver of a vehicle by this title, except for those provisions of this title that by their very nature cannot apply.

(b) In Garrett County a person may not operate **AN ALL-TERRAIN VEHICLE OR** a snowmobile on a controlled access highway.

(c) Except as provided in subsection (b) of this section, in Garrett County a person may operate **AN ALL-TERRAIN VEHICLE OR** a snowmobile on a State highway when crossing **OR TRAVELING ON** the State highway [at a right angle] **IN ACCORDANCE WITH § 25-102(A)(14) OF THIS ARTICLE.**

21-1130.

AN INDIVIDUAL UNDER THE AGE OF 16 YEARS MAY NOT OPERATE AN ALL-TERRAIN VEHICLE OR A SNOWMOBILE ON PUBLIC PROPERTY UNLESS THE INDIVIDUAL IS ACCOMPANIED BY AN ADULT WHO HOLDS A VALID DRIVER'S LICENSE.

25-102.

(a) The provisions of the Maryland Vehicle Law do not prevent a local authority, in the reasonable exercise of its police power, from exercising the following powers as to highways under its jurisdiction:

(14) (i) **1. [Except] SUBJECT TO ITEM 2 OF THIS ITEM, EXCEPT** in Garrett County, designating a certain portion of highways upon which snowmobiles may travel for the sole purpose of gaining access to snowmobile trails **[However, only]; BUT**

2. DESIGNATING ONLY those highways which divide snowmobile trails and which would otherwise obstruct direct access between snowmobile trails **[may be so designated by the local authority]; and**

(ii) In Garrett County, ~~[permitting]~~ **AUTHORIZING:**

1. AUTHORIZING a person to **[cross]:**

~~**1. A.**~~ **CROSS** a highway on **AN ALL-TERRAIN VEHICLE OR** a snowmobile at a right angle[, and designating] **AT A SPEED OF NOT MORE THAN 25 MILES PER HOUR; OR**

~~**2. B.**~~ **OPERATE AN ALL-TERRAIN VEHICLE OR A SNOWMOBILE ON NOT MORE THAN 2 MILES OF HIGHWAY AT A SPEED OF NOT MORE THAN 25 MILES PER HOUR; AND**

~~**3. 2.**~~ **DESIGNATING** a certain portion of highways upon which **ALL-TERRAIN VEHICLES AND** snowmobiles may travel **AT A SPEED OF NOT MORE THAN 25 MILES PER HOUR** for the sole purpose of gaining access to **[snowmobile trails]:**

A. TRAILS ON WHICH THE OPERATION OF AN ALL-TERRAIN VEHICLE OR A SNOWMOBILE IS AUTHORIZED;

B. FIELDS; OR

C. ANOTHER AREA WHERE THE OPERATION OF AN ALL-TERRAIN VEHICLE OR A SNOWMOBILE IS AUTHORIZED;

~~**25-102.1.**~~

~~(a) (1) In this section, “off the road motorcycle” means a motorcycle not otherwise registered under this article.~~

~~(2) “Off the road motorcycle” includes motorcycles designed for off the road operation, motorcycles not otherwise eligible for registration under this article, and motorcycles commonly referred to as “dirt bikes”.~~

~~(b) Each county and Baltimore City may regulate the operation of off the road motorcycles AND ALL-TERRAIN VEHICLES, require them to be registered, and impose a registration fee for them.~~

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved by the Governor, May 25, 2017.