

SENATE BILL 979

R4, R5

(7lr2631)

ENROLLED BILL

— *Judicial Proceedings/Environment and Transportation* —

Introduced by **Senator Edwards**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – All-Terrain Vehicles and Snowmobiles**

3 FOR the purpose of prohibiting an individual from driving or attempting to drive an
4 all-terrain vehicle or a snowmobile on portions of a highway in the State on which
5 an all-terrain vehicle or a snowmobile is authorized unless the individual holds a
6 driver's license or is exempt from certain licensing requirements; applying certain
7 provisions of law relating to the operation of a snowmobile to the operation of an
8 all-terrain vehicle; prohibiting a certain individual from operating an all-terrain
9 vehicle or a snowmobile on certain property unless the individual is accompanied by
10 a certain adult; authorizing a local authority in Garrett County to authorize a person
11 to cross a highway in a certain manner on an all-terrain vehicle when operated
12 under a certain speed; authorizing a local authority in Garrett County to authorize
13 the operation of a snowmobile or an all-terrain vehicle on a certain portion of
14 highway when operated under a certain speed; authorizing Garrett County to
15 designate a certain portion of highway on which an all-terrain vehicle or a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



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;

1 (IV) HAS HANDLEBARS FOR STEERING;

2 (V) IS INTENDED BY THE MANUFACTURER TO BE OPERATED BY
3 A SINGLE OPERATOR; AND

4 (VI) MAY BE DESIGNED TO CARRY ONE PASSENGER; OR

5 (2) (I) IS DESIGNED FOR OFF-HIGHWAY USE;

6 (II) OPERATES ON FOUR OR MORE LOW-PRESSURE TIRES;

7 (III) HAS A BENCH OR BUCKET-STYLE SEATING; AND

8 (IV) HAS A STEERING WHEEL FOR STEERING.

9 16-101.

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

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

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

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

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

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

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

25 21-104.1.

26 (a) Any person operating AN ALL-TERRAIN VEHICLE OR a snowmobile on any
27 portion of a highway designated for ALL-TERRAIN VEHICLE OR snowmobile use under §
28 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:

Governor.

President of the Senate.

Speaker of the House of Delegates.