

SENATE BILL 979

R4, R5

7lr2631

By: **Senator Edwards**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2017

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
16 snowmobile may travel under a certain speed for certain purposes; altering the
17 circumstances under which a local authority in Garrett County may authorize a
18 snowmobile to travel on a highway; ~~authorizing each county and Baltimore City to~~
19 ~~regulate the operation of all-terrain vehicles, require the all-terrain vehicle to be~~
20 ~~registered, and impose a registration fee;~~ defining the term "all-terrain vehicles";
21 making conforming changes; making a stylistic change; and generally relating to
22 all-terrain vehicles and snowmobiles.

23 BY renumbering

24 Article – Transportation

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.



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.

1 **21-1130.**

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

5 **25-102.**

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

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

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

15 (ii) In Garrett County, [permitting] **AUTHORIZING** a person to
16 [cross]:

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

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

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

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

28 **B. FIELDS; OR**

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

31 ~~**25-102.1.**~~

1 ~~(a) (1) In this section, "off the road motoreyele" means a motoreyele not~~
2 ~~otherwise registered under this article.~~

3 ~~(2) "Off the road motoreyele" includes motoreyeles designed for~~
4 ~~off the road operation, motoreyeles not otherwise eligible for registration under this~~
5 ~~article, and motoreyeles commonly referred to as "dirt bikes".~~

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.