

Chapter 465

(Senate Bill 315)

AN ACT concerning

**Vehicle Laws – Bike Lanes and Shoulders – Yielding Right-of-Way
(Sarah Debbink Langenkamp Memorial Act)**

FOR the purpose of prohibiting a person from committing a violation ~~that contributes to a crash~~ of a certain provision of law governing the right-of-way of a bicycle, a motor scooter, or an electronic personal assistive mobility device lawfully in a designated bike lane or shoulder that contributes to the serious physical injury or death of a person riding a bicycle, EPAMD, or motor scooter; and generally relating to yielding the right-of-way in a bike lane or shoulder.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1209
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

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

Article – Transportation

21–1209.

(a) Notwithstanding any other provision of this title, the driver of a vehicle shall:

(1) Exercise due care to avoid colliding with any bicycle, EPAMD, or motor scooter being ridden by a person; and

(2) When overtaking a bicycle, an EPAMD, or a motor scooter, pass safely at a distance of not less than 3 feet, unless, at the time:

(i) The bicycle, EPAMD, or motor scooter rider fails to operate the vehicle in conformance with § 21–1205(a) of this subtitle (“Riding to right side of roadway”) or § 21–1205.1(b) of this subtitle (“Roadway with bike lane or shoulder paved to smooth surface”);

(ii) A passing clearance of less than 3 feet is caused solely by the bicycle, EPAMD, or motor scooter rider failing to maintain a steady course; or

(iii) The highway on which the vehicle is being driven is not wide enough to lawfully pass the bicycle, EPAMD, or motor scooter at a distance of at least 3 feet.

(b) A person may not throw any object at or in the direction of any person riding a bicycle, an EPAMD, or a motor scooter.

(c) A person may not open the door of any motor vehicle with intent to strike, injure, or interfere with any person riding a bicycle, an EPAMD, or a motor scooter.

(d) **(1)** Unless otherwise specified in this title, the driver of a vehicle shall yield the right-of-way to a person who is lawfully riding a bicycle, an EPAMD, or a motor scooter in a designated bike lane or shoulder if the driver of the vehicle is about to enter or cross the designated bike lane or shoulder.

(2) (I) A PERSON MAY NOT COMMIT A VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION THAT CONTRIBUTES TO ~~A CRASH~~ THE SERIOUS PHYSICAL INJURY OR DEATH OF A PERSON RIDING A BICYCLE, EPAMD, OR MOTOR SCOOTER.

(II) A PERSON CONVICTED OF A VIOLATION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 MONTHS OR A FINE NOT EXCEEDING \$2,000 OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved by the Governor, May 9, 2024.