
By: **Delegate Malone**

Introduced and read first time: January 27, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles - Low Speed Vehicles - Standards and Restrictions**

3 FOR the purpose of clarifying that the Motor Vehicle Administration may issue
4 certificates of title for, and register, certain low speed vehicles; prohibiting a
5 person from driving a low speed vehicle on certain roadways; authorizing the
6 State Highway Administration or a local authority to prohibit a person from
7 driving a low speed vehicle on certain roadways; requiring a low speed vehicle to
8 comply with certain federal standards; authorizing the Motor Vehicle
9 Administration to adopt regulations requiring certain equipment for low speed
10 vehicles; requiring the Motor Vehicle Administration and the Department of
11 State Police to adopt certain regulations establishing equipment standards for
12 low speed vehicles; clarifying that certain defined terms include low speed
13 vehicles; defining a certain term; and generally relating to standards and
14 restrictions for low speed vehicles.

15 BY adding to
16 Article - Transportation
17 Section 11-130.1 and 21-1123
18 Annotated Code of Maryland
19 (2002 Replacement Volume and 2004 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - Transportation
22 Section 11-135, 11-176, 21-313(a), 22-101(e), and 23-104
23 Annotated Code of Maryland
24 (2002 Replacement Volume and 2004 Supplement)

25 BY repealing and reenacting, without amendments,
26 Article - Transportation
27 Section 13-101.1, 13-402(a)(1), 23-206(a) and (b), 23-207, and 27-101(a) and
28 (b)
29 Annotated Code of Maryland
30 (2002 Replacement Volume and 2004 Supplement)

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

3 **Article - Transportation**

4 11-130.1.

5 "LOW SPEED VEHICLE" MEANS A FOUR-WHEELED ELECTRIC VEHICLE THAT
6 HAS A MAXIMUM SPEED CAPABILITY THAT EXCEEDS 20 MILES PER HOUR BUT IS LESS
7 THAN 25 MILES PER HOUR.

8 11-135.

9 (a) (1) "Motor vehicle" means, except as provided in subsection (b) of this
10 section, a vehicle that:

11 [(1)] (I) Is self-propelled or propelled by electric power obtained from
12 overhead electrical wires; and

13 [(2)] (II) Is not operated on rails.

14 (2) "MOTOR VEHICLE" INCLUDES A LOW SPEED VEHICLE.

15 (b) "Motor vehicle" does not include:

16 (1) A moped, as defined in § 11-134.1 of this subtitle; or

17 (2) A motor scooter, as defined in § 11-134.4 of this subtitle.

18 11-176.

19 (a) (1) "Vehicle" means, except as provided in subsection (b) of this section,
20 any device in, on, or by which any individual or property is or might be transported or
21 towed on a highway.

22 (2) "VEHICLE" INCLUDES A LOW SPEED VEHICLE.

23 (b) "Vehicle" does not include an electric personal assistive mobility device as
24 defined in § 21-101(g-1) of this article.

25 13-101.1.

26 Except as provided in § 13-102 of this subtitle, the owner of each vehicle that is
27 in this State and for which the Administration has not issued a certificate of title
28 shall apply to the Administration for a certificate of title of the vehicle.

29 13-402.

30 (a) (1) Except as otherwise provided in this section or elsewhere in the
31 Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven
32 on a highway shall be registered under this subtitle.

1 21-313.

2 (a) The State Highway Administration, by order, or any local authority, by
3 ordinance, may prohibit the use of any controlled access highway in its jurisdiction by
4 parades, LOW SPEED VEHICLES, funeral processions, bicycles, or other nonmotorized
5 traffic or by any person operating a motorcycle.

6 21-1123.

7 NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A PERSON MAY NOT
8 DRIVE A LOW SPEED VEHICLE:

9 (1) ON A ROADWAY FOR WHICH THE POSTED MAXIMUM SPEED LIMIT
10 EXCEEDS 30 MILES PER HOUR; OR

11 (2) ON AN EXPRESSWAY OR ANOTHER CONTROLLED ACCESS HIGHWAY
12 THAT IS SIGNED IN ACCORDANCE WITH § 21-313 OF THIS TITLE.

13 22-101.

14 (e) (1) The provisions of this title with respect to equipment on vehicles do
15 not apply to farm equipment, road machinery, road rollers, or farm tractors, except as
16 made applicable in this title.

17 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS
18 TITLE DOES NOT APPLY TO LOW SPEED VEHICLES.

19 (II) 1. A LOW SPEED VEHICLE SHALL COMPLY WITH FEDERAL
20 STANDARDS UNDER 49 C.F.R. 571.500.

21 2. THE ADMINISTRATION MAY ADOPT REGULATIONS THAT
22 REQUIRE EQUIPMENT FOR LOW SPEED VEHICLES IN ADDITION TO EQUIPMENT
23 REQUIRED UNDER FEDERAL LAW.

24 23-104.

25 (a) Every vehicle driven on the highways in this State shall, where applicable,
26 have the following equipment, meeting or exceeding the standards established jointly
27 by the Administration and the Division: brakes, steering, suspension, horn, door
28 handles, mirrors, tires, exhaust system, lights, glazing, windshield wipers, odometer,
29 speedometer, bumpers, properly aligned wheels, wheels and wheel lugs, fenders, floor
30 pans, hood, hood catches, emissions equipment, fuel system, front seat, motor
31 mounts, gear selection indicator for automatic transmissions, universal joints, and
32 seat belts or combination seat belt-shoulder harness if required as original
33 equipment under § 22-412 or § 22-412.1 of this article.

34 (b) (1) The Administration and the Division jointly may establish standards
35 by rule or regulation for this equipment.

1 (2) THE ADMINISTRATION AND THE DIVISION SHALL ADOPT,
2 CONSISTENT WITH FEDERAL LAW, REGULATIONS ESTABLISHING EQUIPMENT
3 STANDARDS FOR LOW SPEED VEHICLES.

4 23-206.

5 (a) An owner of a motor vehicle that is registered in this State shall have the
6 vehicle inspected and tested as required under this subtitle.

7 (b) A motor vehicle registered in this State, unless exempted or given a waiver
8 under this subtitle, shall meet the standards and requirements of this subtitle.

9 23-207.

10 The Administration and the Secretary may jointly adopt rules and regulations
11 as required for purposes of implementation, administration, regulation, and
12 enforcement of the provisions of this subtitle, including rules and regulations that,
13 consistent with federal law, exempt certain vehicles from the inspections and tests
14 under this subtitle.

15 27-101.

16 (a) It is a misdemeanor for any person to violate any of the provisions of the
17 Maryland Vehicle Law unless the violation:

18 (1) Is declared to be a felony by the Maryland Vehicle Law or by any
19 other law of this State; or

20 (2) Is punishable by a civil penalty under the applicable provision of the
21 Maryland Vehicle Law.

22 (b) Except as otherwise provided in this section, any person convicted of a
23 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
24 subject to a fine of not more than \$500.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2005.