
By: **Delegate Cardin**

Introduced and read first time: February 18, 2005

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Bicycles and Motor Scooters on Roadways - Repeal of**
3 **Restrictions**

4 FOR the purpose of repealing certain provisions of law prohibiting, except under
5 certain circumstances, a person from operating a bicycle or motor scooter on a
6 roadway where there is a bike lane or a shoulder paved to a smooth surface;
7 repealing certain provisions prohibiting a person operating a bicycle or motor
8 scooter from leaving the bike lane or shoulder until the movement can be made
9 with reasonable safety and until giving an appropriate signal; and generally
10 relating to the operation of bicycles and motor scooters on roadways.

11 BY repealing and reenacting, with amendments,
12 Article - Transportation
13 Section 21-1205.1
14 Annotated Code of Maryland
15 (2002 Replacement Volume and 2004 Supplement)

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

18 **Article - Transportation**

19 21-1205.1.

20 (a) Notwithstanding any other provision of this title, a person may not ride a
21 bicycle or a motor scooter:

22 (1) On any roadway where the posted maximum speed limit is more than
23 50 miles an hour; or

24 (2) On any expressway, except on an adjacent bicycle path or way
25 approved by the State Highway Administration, or on any other controlled access
26 highway signed in accordance with § 21-313 of this title.

27 (b) [(1) Where there is a bike lane paved to a smooth surface or a shoulder
28 paved to a smooth surface, a person operating a bicycle or a motor scooter shall use

1 the bike lane or shoulder and may not ride on the roadway, except in the following
2 situations:

3 (i) When overtaking and passing another bicycle, motor scooter,
4 pedestrian, or other vehicle within the bike lane or shoulder if the overtaking and
5 passing cannot be done safely within the bike lane or shoulder;

6 (ii) When preparing for a left turn at an intersection or into an
7 alley, private road, or driveway;

8 (iii) When reasonably necessary to leave the bike lane or shoulder to
9 avoid debris or other hazardous condition; or

10 (iv) When reasonably necessary to leave the bike lane or shoulder
11 because the bike lane or shoulder is overlaid with a right turn lane, merge lane, or
12 other marking that breaks the continuity of the bike lane or shoulder.

13 (2) A person operating a bicycle or a motor scooter may not leave a bike
14 lane or shoulder until the movement can be made with reasonable safety and then
15 only after giving an appropriate signal.

16 (3) The Department shall promulgate rules and regulations pertaining
17 to this subsection which will include, but not be limited to, a definition of "smooth
18 surface".

19 (c) A motor scooter may not be operated at a speed in excess of 30 miles per
20 hour.

21 [(d)] (C) Notwithstanding any other provision of this title, a person may not
22 operate an EPAMD on any roadway where there are sidewalks adjacent to the
23 roadway or the posted maximum speed limit is more than 30 miles an hour.

24 [(e)] (D) An EPAMD may not be operated at a speed in excess of 15 miles per
25 hour.

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