

# HOUSE BILL 339

R5

3lr1786

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By: **Delegates McIntosh, Bobo, Cane, Clippinger, Frush, Healey, Holmes, Hucker, B. Robinson, S. Robinson, Stein, and F. Turner**

Introduced and read first time: January 25, 2013

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Vehicle Laws – Bicycles – Required Use of Protective Headgear**

3 FOR the purpose of expanding the requirement that certain bicycle operators or  
4 passengers wear certain protective headgear to apply to all persons; clarifying  
5 that this Act does not apply to a rider or passenger on a moped; making stylistic  
6 changes; and generally relating to protective headgear requirements for  
7 operators and passengers on a bicycle.

8 BY repealing and reenacting, with amendments,  
9 Article – Transportation  
10 Section 21–1207.1  
11 Annotated Code of Maryland  
12 (2012 Replacement Volume)

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

### 15 **Article – Transportation**

16 21–1207.1.

17 (a) (1) **[The provisions of this section apply] THIS SECTION APPLIES:**

18 (i) At all times while a bicycle is being operated on any  
19 highway, bicycle way, or other property open to the public or used by the public for  
20 pedestrian or vehicular traffic; and

21 (ii) To a person **[under the age of 16]** who is riding on a bicycle,  
22 including a person **[under the age of 16]** who is a passenger on a bicycle:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1. In a restraining seat attached to the bicycle; or

2. In a trailer being towed by the bicycle.

(2) [The provisions of this section do] **THIS SECTION DOES** not apply  
to [passengers]:

**(I) A RIDER OR A PASSENGER ON A MOPED; OR**

**(II) A PASSENGER in A commercial bicycle [rickshaws]  
RICKSHAW.**

(b) This section does not apply in the town of Ocean City, Maryland, on the  
boardwalk between the Ocean City inlet and 27th Street, during the hours in which  
bicycles are permitted by local ordinance to be operated on the boardwalk.

(c) A person to whom this section applies may not operate or ride as a  
passenger on a bicycle unless the person is wearing a helmet that meets or exceeds the  
standards of the American National Standards Institute, the Snell Memorial  
Foundation, or the American Society for Testing and Materials for protective headgear  
for use in bicycling.

(d) This section shall be enforced by the issuance of a warning that informs  
the offender of the requirements of this section and provides educational materials  
about bicycle helmet use.

**SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
October 1, 2013.**