

HOUSE BILL 52

R5

4lr0495

(PRE-FILED)

By: **Delegate Carr**

Requested: September 11, 2013

Introduced and read first time: January 8, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Bicycles and Motor Scooters – Rules of the Road**

3 FOR the purpose of specifying that every person operating a bicycle or a motor scooter
4 in a public bicycle area is subject only to the duties required of the driver of a
5 vehicle under certain rules of the road; requiring that every person operating a
6 bicycle or a motor scooter in a public bicycle area watch for other vehicles in the
7 public bicycle area; requiring the driver of a vehicle to watch for bicycles on
8 certain highways and bicycle ways; and generally relating to rules of the road
9 and bicycles and motor scooters.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 21–1202 and 21–1209(a)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2013 Supplement)

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

17 **Article – Transportation**

18 21–1202.

19 Every person operating a bicycle or a motor scooter in a public bicycle area
20 [has]:

21 **(1) HAS** all the rights granted to and is subject to all the duties, **AND**
22 **ONLY THE DUTIES**, required of the driver of a vehicle by this title, including the
23 duties set forth in § 21–504 of this title, except:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ~~[(1)]~~ **(I)** As otherwise provided in this subtitle; and

2 ~~[(2)]~~ **(II)** For those provisions of this title that by their very nature
3 cannot apply; **AND**

4 **(2)** **SHALL WATCH FOR OTHER VEHICLES IN THE PUBLIC BICYCLE**
5 **AREA.**

6 21–1209.

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

9 (1) **WATCH FOR BICYCLES ON:**

10 **(I) BICYCLE WAYS; AND**

11 **(II) HIGHWAYS WHERE BICYCLES ARE ALLOWED;**

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

14 ~~[(2)]~~ **(3)** When overtaking a bicycle, an EPAMD, or a motor scooter,
15 pass safely at a distance of not less than 3 feet, unless, at the time:

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

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

22 (iii) The highway on which the vehicle is being driven is not wide
23 enough to lawfully pass the bicycle, EPAMD, or motor scooter at a distance of at least
24 3 feet.

25 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
26 October 1, 2014.