

HOUSE BILL 241

R5

4lr1445

By: **Delegates Lafferty, Barnes, Cardin, Carr, and Fraser-Hidalgo**

Introduced and read first time: January 17, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

AN ACT concerning

Vehicle Laws – Overtaking and Passing Bicycles, Personal Mobility Devices, or Motor Scooters

FOR the purpose of authorizing a driver of a vehicle to drive across the left side of a roadway in a no-passing zone, if it is safe to do so, while overtaking and passing a bicycle, an electric personal assistive mobility device (EPAMD), or a motor scooter; repealing an exception that applies under certain circumstances to the requirement that a driver of a vehicle, when overtaking a bicycle, an EPAMD, or a motor scooter, pass safely at a certain minimum distance; and generally relating to overtaking and passing bicycles, EPAMDs, or motor scooters.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–307 and 21–1209(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Article – Transportation

21–307.

(a) The State Highway Administration may determine those parts of any highway in its jurisdiction where overtaking and passing or driving on the left of the roadway would be especially dangerous and, by appropriate signs or markings on the roadway, may indicate the beginning and end of these zones. Where the signs or markings are in place and clearly visible to an ordinarily observant individual, every driver of a vehicle shall obey their directions.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) Except as provided in subsection (d) of this section, where signs or markings defining a no-passing zone are placed as provided in subsection (a) of this section, a driver may not drive on the left side of the roadway within the no-passing zone.

(c) Except as provided in subsection (d) of this section, where signs or markings defining a no-passing zone are placed as provided in subsection (a) of this section, a driver may not drive on the left side of any pavement striping designed to mark the no-passing zone throughout its length.

(d) The driver of a vehicle may drive across the left side of the roadway in a no-passing zone, **IF IT IS SAFE TO DO SO, while[making]:**

(1) MAKING a left turn[, but only if it is safe to do so]; OR

(2) OVERTAKING AND PASSING A BICYCLE, AN EPAMD, OR A MOTOR SCOOTER.

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”); **OR**

(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].

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