

HOUSE BILL 588

R5

5lr2582
CF SB 547

By: **Delegates Lafferty, Fraser-Hidalgo, Aumann, Carr, Frush, Lierman, Luedtke, McIntosh, and Miele**

Introduced and read first time: February 12, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Passing Bicycles, Personal Mobility Devices, or Motor Scooters**

3 FOR the purpose of clarifying that when overtaking a bicycle, an electric personal assistive
4 mobility device (EPAMD), or a motor scooter, the driver of a vehicle is required to
5 pass at a safe speed unless certain exceptions apply; repealing a certain exception to
6 a certain requirement that a driver overtake and pass a bicycle, an EPAMD, or a
7 motor scooter in a certain manner that applies when a highway lacks sufficient
8 width; and generally relating to rules of the road for overtaking and passing bicycles,
9 EPAMDs, or motor scooters.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 21–1209
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2014 Supplement)

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

Article – Transportation

18 21–1209.

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

20 (1) Exercise due care to avoid colliding with any bicycle, EPAMD, or motor
21 scooter being ridden by a person; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) When overtaking a bicycle, an EPAMD, or a motor scooter, pass safely
2 at **A SAFE SPEED AND** a distance of not less than 3 feet, unless, at the time:

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

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

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

12 (b) A person may not throw any object at or in the direction of any person riding
13 a bicycle, an EPAMD, or a motor scooter.

14 (c) A person may not open the door of any motor vehicle with intent to strike,
15 injure, or interfere with any person riding a bicycle, an EPAMD, or a motor scooter.

16 (d) Unless otherwise specified in this title, the driver of a vehicle shall yield the
17 right-of-way to a person who is lawfully riding a bicycle, an EPAMD, or a motor scooter in
18 a designated bike lane or shoulder if the driver of the vehicle is about to enter or cross the
19 designated bike lane or shoulder.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2015.