

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

House Bill 653

(Montgomery County Delegation and Prince George's
County Delegation)

Environment and Transportation

Judicial Proceedings

Maryland-National Capital Park and Planning Commission - Regulation of Off-
Highway Recreational Vehicles
MC/PG 114-15

This bill requires the Maryland-National Capital Park and Planning Commission (M-NCPPC) to adopt regulations governing the use of off-highway recreational vehicles on commission property.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: The bill does not materially affect the operations or finances of M-NCPPC.

Small Business Effect: None.

Analysis

Current Law: M-NCPPC is authorized to adopt regulations for the use of any property under its jurisdiction. M-NCPPC must (1) post the regulations outside each park headquarters building, community center, recreation center, or similar building in a developed park area and (2) after posting the regulations, publish them at least three times within 60 days in one or more newspapers of general circulation published in the metropolitan district.

The posting and publication of the regulations is considered to be sufficient notice to all persons. The sworn certificate of a commissioner as to the posting and publication of the regulations is prima facie evidence of posting and publication.

An off-highway recreational vehicle is defined as a vehicle that is (1) a motor-assisted or motor-driven vehicle that is designed to carry only the operator of the vehicle on a seat or saddle designed to be straddled by the operator or is designed to carry only the operator of the vehicle and one passenger, and is commonly known as an all-terrain vehicle; (2) a motorcycle that is designed for off-highway operation and is not eligible for registration as a Class D (motorcycle) vehicle, commonly known as a dirt bike; or (3) a snowmobile.

An off-highway recreational vehicle does not include (1) a farm vehicle when used exclusively on farm property by a farmer or (2) any vehicle when used on residential property for the purpose of landscaping, gardening, or lawn care.

Background: M-NCPPC is a bi-county agency serving Montgomery and Prince George's counties that was empowered by the State in 1927 to acquire and administer a regional system of parks within the Maryland-Washington Metropolitan District and administer a general plan for the physical development of the area. In 1970, M-NCPPC became responsible for managing the Prince George's County public recreation program.

M-NCPPC operates approximately 52,000 acres of parkland, trails, and open space in Montgomery and Prince George's counties, as well as a variety of facilities, including nature centers, community centers, historic sites, and sports venues.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland-National Capital Park and Planning Commission, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - March 13, 2015
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