

# HOUSE BILL 748

R5

9lr1901  
CF SB 770

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By: **Delegate Fraser–Hidalgo**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws – Electric Low Speed Scooters**

3 FOR the purpose of establishing that an electric low speed scooter is considered to be a  
4 bicycle for the purposes of the Maryland Vehicle Law; defining the term “electric low  
5 speed scooter”; providing that an electric low speed scooter is not considered to be a  
6 motorized minibike, a motor scooter, or a motor vehicle for the purposes of the  
7 Maryland Vehicle Law; altering the defined term “scooter” by limiting the term to  
8 nonmotorized vehicles; establishing that the operator of an electric low speed scooter  
9 may ride by standing on a platform designed to carry the operator; and generally  
10 relating to electric low speed scooters.

11 BY repealing and reenacting, with amendments,  
12 Article – Transportation  
13 Section 11–104  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2018 Supplement)  
16 (As enacted by Chapter 294 of the Acts of the General Assembly of 2014)

17 BY repealing and reenacting, with amendments,  
18 Article – Transportation  
19 Section 11–134.4(b), 11–134.5(b), 11–135(b), 11–154.1, and 21–1203  
20 Annotated Code of Maryland  
21 (2012 Replacement Volume and 2018 Supplement)

22 BY adding to

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Transportation  
2 Section 11–117.2  
3 Annotated Code of Maryland  
4 (2012 Replacement Volume and 2018 Supplement)

5 BY repealing and reenacting, without amendments,  
6 Article – Transportation  
7 Section 21–1202 and 25–102(a)(8)  
8 Annotated Code of Maryland  
9 (2012 Replacement Volume and 2018 Supplement)

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

12 **Article – Transportation**

13 11–104.

14 “Bicycle” means:

- 15 (1) A vehicle that:
- 16 (i) Is designed to be operated by human power;
- 17 (ii) Has two or three wheels, of which one is more than 14 inches in  
18 diameter; and
- 19 (iii) Has a drive mechanism other than by pedals directly attached to  
20 a drive wheel;
- 21 (2) An electric bicycle; [or]
- 22 (3) A moped; **OR**
- 23 (4) **AN ELECTRIC LOW SPEED SCOOTER.**

24 **11–117.2.**

25 (A) **“ELECTRIC LOW SPEED SCOOTER” MEANS A VEHICLE THAT:**

- 26 (1) **IS DESIGNED TO TRANSPORT ONLY THE OPERATOR;**
- 27 (2) **WEIGHS LESS THAN 100 POUNDS;**
- 28 (3) **HAS SINGLE WHEELS IN TANDEM OR A COMBINATION OF ONE OR**  
29 **TWO WHEELS AT THE FRONT AND REAR OF THE VEHICLE;**

1           **(4) IS EQUIPPED WITH HANDLEBARS AND A PLATFORM DESIGNED TO**  
2 **BE STOOD ON WHILE RIDING;**

3           **(5) IS SOLELY POWERED BY AN ELECTRIC MOTOR AND HUMAN**  
4 **POWER; AND**

5           **(6) IS CAPABLE OF OPERATING AT A SPEED OF UP TO ~~25~~ 20 MILES PER**  
6 **HOUR ~~ON A SMOOTH LEVEL SURFACE BY AN OPERATOR WEIGHING 175 POUNDS.~~**

7           **(B) “ELECTRIC LOW SPEED SCOOTER” DOES NOT INCLUDE:**

8           **(1) AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE; OR**

9           **(2) AN ELECTRIC WHEELCHAIR OR OTHER MOBILITY AID USED BY A**  
10 **DISABLED INDIVIDUAL.**

11 11-134.4.

12           (b) “Motorized minibike” does not include:

13           (1) A motor scooter;

14           (2) A moped;

15           (3) A farm tractor; [or]

16           (4) An electric bicycle; **OR**

17           **(5) AN ELECTRIC LOW SPEED SCOOTER.**

18 11-134.5.

19           (b) “Motor scooter” does not include [a]:

20           **(1) AN ELECTRIC LOW SPEED SCOOTER; OR**

21           **(2) A vehicle that has been manufactured for off-road use, including a**  
22 **motorcycle and an all-terrain vehicle.**

23 11-135.

24           (b) “Motor vehicle” does not include:

25           (1) A moped, as defined in § 11-134.1 of this subtitle;

1 (2) A motor scooter, as defined in § 11–134.5 of this subtitle; [or]

2 (3) An electric bicycle, as defined in § 11–117.1 of this subtitle; OR

3 (4) **AN ELECTRIC LOW SPEED SCOOTER, AS DEFINED IN § 11–117.2 OF**  
4 **THIS SUBTITLE.**

5 11–154.1.

6 “Scooter” means a two–wheeled **NONMOTORIZED** vehicle that:

7 (1) Has handlebars; and

8 (2) Is designed to be stood on by the operator.

9 21–1202.

10 (a) Every person operating a bicycle or a motor scooter in a public bicycle area  
11 has all the rights granted to and is subject to all the duties required of the driver of a vehicle  
12 by this title, including the duties set forth in § 21–504 of this title, except:

13 (1) As otherwise provided in this subtitle; and

14 (2) For those provisions of this title that by their very nature cannot apply.

15 (b) (1) Subject to paragraphs (2) and (3) of this subsection, a person has the  
16 rights and is subject to the restrictions applicable to pedestrians under this title while the  
17 person is lawfully operating a bicycle, play vehicle, or unicycle:

18 (i) On a sidewalk or sidewalk area; or

19 (ii) In or through a crosswalk.

20 (2) At an intersection, a person operating a bicycle, play vehicle, or unicycle  
21 is subject to all traffic control signals, as provided in §§ 21–202 and 21–203 of this title.

22 (3) Section 21–506 of this title does not apply to a person operating a  
23 bicycle, play vehicle, or unicycle.

24 21–1203.

25 (a) The operator of a bicycle or a motor scooter may ride the bicycle or motor  
26 scooter only [on]:

27 (1) **ON** or astride a permanent and regular seat securely attached to it; **OR**

1           **(2) FOR AN ELECTRIC LOW SPEED SCOOTER, BY STANDING ON A**  
2 **PLATFORM DESIGNED TO CARRY THE OPERATOR.**

3           (b) A bicycle may not carry any passenger unless it is designed for and equipped  
4 with a seat securely attached to it for each passenger.

5           (c) A motor scooter may not carry any passenger unless it is designed for and  
6 equipped with a seat securely attached to it and footrests for each passenger.

7 25-102.

8           (a) The provisions of the Maryland Vehicle Law do not prevent a local authority,  
9 in the reasonable exercise of its police power, from exercising the following powers as to  
10 highways under its jurisdiction:

11                   (8) Regulating the operation of bicycles, requiring them to be registered,  
12 and imposing a registration fee;

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.