

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 14 (Senator Lam)
Judicial Proceedings

Vehicle Laws - Personal Electric Transportation Devices - Definitions

This bill distinguishes an “electric self-balancing board” (ESBB) from an “electric personal assistive mobility device” (EPAMD) under the Maryland Vehicle Law by altering the definition of an EPAMD and establishing a definition for an ESBB. In addition, the bill specifies the duties and rights of persons operating ESBBs.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues from application of traffic penalties to ESBB operators. Enforcement can be handled with existing resources.

Local Effect: Potential minimal increase in local revenues from application of traffic penalties to ESBB operators. Enforcement can be handled with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The bill alters the definition of an “electric personal assistive mobility device” (“EPAMD”) as it applies to the Maryland Vehicle Law to specify that an EPAMD has (1) one vertical or center control bar or mechanism with which the rider steers the device and (2) a nonarticulated platform on which the rider stands.

The bill establishes a definition for ESBB under the Maryland Vehicle Law. An ESBB is a pedestrian device that (1) has two nontandem wheels; (2) is self-balancing; (3) is powered by an electric propulsion system; (4) has no vertical or central control bar or mechanism with which the rider steers the device; (5) has an articulated, or jointed, platform on which

the rider stands; (6) reaches a maximum speed of up to 15 miles per hour; and (7) is designed to transport one person.

At an intersection, a person operating an ESBB is subject to traffic control signals, as specified. Namely, a person operating an ESBB must obey pedestrian control signals and traffic lights with steady indication. At any other place, a person operating an ESBB enjoys the rights and is subject to the restrictions applicable to pedestrians under the Maryland Vehicle Law. However, except as otherwise specified, on a highway or path designated for the exclusive use of bicycles, a person operating an ESBB is subject to the operational restrictions and requirements applicable to bicyclists.

Current Law: An “EPAMD” is a pedestrian device that (1) has two nontandem wheels; (2) is self-balancing; (3) is powered by an electric propulsion system; (4) reaches a maximum speed of up to 15 miles per hour; and (5) is designed to transport one person.

At an intersection, a person operating an EPAMD must obey traffic control signals, as specified. At any other place, a person operating an EPAMD enjoys the rights and is subject to the restrictions applicable to pedestrians under the Maryland Vehicle Law. However, except as otherwise specified, on a highway or path designated for the exclusive use of bicycles, a person operating an EPAMD is subject to specified operational restrictions and requirements applicable to bicyclists.

A person may not operate an EPAMD on any roadway where sidewalks are adjacent to the roadway or where the posted maximum speed limit exceeds 30 miles per hour. In addition, a person may not operate an EPAMD at a speed greater than 15 miles per hour. Violation of these provisions is a misdemeanor, and a violator is subject to a maximum fine of \$500. The prepayment penalty established by the District Court for a violation of these provisions is \$50.

Background: Chapter 546 of 2002 defined an “EPAMD” under the Maryland Vehicle Law and specified the duties and rights of persons operating EPAMDs. Devices covered under the definition of an EPAMD include the Segway Personal Transporter, a two-wheeled, self-balancing, motorized device designed to transport one person.

The Maryland Vehicle Law does not specifically regulate electric self-balancing boards, or devices commonly known as “hoverboards,” which became commercially available in the United States in 2015.

Other states, including New York and New Jersey, have considered legislation similar to the bill. In 2016, the City Council of Ocean City adopted an ordinance clarifying that a hoverboard is not an EPAMD and generally prohibiting the operation of these and other

devices on its boardwalk. In addition, the District of Columbia has taken action to prohibit the operation of hoverboards in public libraries.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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