

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 20

(Delegate Lehman, *et al.*)

Environment and Transportation

Judicial Proceedings

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Vehicle Laws – Horse Riding – Helmet Requirement for Minors

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This bill generally prohibits an adult who is present and directly supervising a minor from allowing the minor to ride a horse in specified areas unless the minor is wearing – properly secured – a helmet that meets or exceeds the standards of the American Society of Testing and Materials for protective headgear used in equestrian riding.

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Fiscal Summary

**State Effect:** Potential minimal increase in general fund revenues to the extent violations occur. Expenditures may decrease beginning in FY 2024 for the Maryland Department of Health (MDH), as discussed below.

**Local Effect:** The bill is not anticipated to materially affect local government finances or operations. Any changes to enforcement can be handled with existing budgeted resources.

**Small Business Effect:** Potential minimal.

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Analysis

**Bill Summary:** The bill specifies that “horse” includes donkeys, mules, and ponies.

Generally, the bill applies to riding a horse on (1) a highway; (2) a public horse-riding path; or (3) the grounds of a facility for which the primary purpose is recreational, educational, or competitive equestrian activities. However, the bill’s requirements do not apply to a minor who is (1) practicing for or competing or performing in a show or event where helmets are not historically required; (2) crossing a public highway that separates privately

owned land; (3) engaged in an agricultural practice or pursuit; or (4) a member of an Amish or a Mennonite community.

A violation of the bill involving an adult supervising multiple minors at the same time must be treated as a single violation. An individual who violates the bill's provisions is subject to a maximum \$500 fine under the Maryland Vehicle Law.

**Current Law:** State law does not require horse riding participants to wear protective headgear. However, State laws impose helmet requirements for children under specified circumstances. An individual younger than age 16 may not ride a bicycle on any highway, bicycle way, or other property open to or used by the public for pedestrian or vehicular traffic unless the individual is wearing a helmet. This helmet requirement also applies to a person younger than age 16 who is a passenger in an attached restraining seat or in a trailer being towed by the bicycle. The helmet requirement does not apply to the boardwalk between the Ocean City inlet and 27th Street during specified hours in the Town of Ocean City. The helmet has to meet or exceed the standards of the American National Standards Institute, the Snell Memorial Foundation, or the American Society of Testing and Measurements for protective headgear for use in bicycling. The provision is enforced by the issuance of a warning that informs the offender of the helmet requirement and provides educational materials about helmet use. A similar helmet requirement is in place for scooters and in-line skating.

Except in Charles, St. Mary's, and Worcester counties, a person may not ride an animal or drive an animal-drawn vehicle on any divided highway with a posted maximum speed of more than 35 miles per hour or any controlled access highway. In Anne Arundel County, a person may ride an animal on any part of a highway, including divided or controlled access highways, as long as the person does not ride on the roadway or shoulder of such a highway.

**State Expenditures:** To the extent the bill reduces debilitating injuries resulting from equestrian accidents, savings could be generated for MDH (*i.e.*, due to fewer individuals requiring Medicaid and Developmental Disabilities Administration services). However, there is insufficient data at this time to estimate the number of traumatic head injuries that could be avoided and the resulting potential savings for either program.

**Exhibit 1** shows the number of reported falls from horses by fiscal year, as reported by the Maryland Institute for Emergency Medical Services Systems. The data shows patients treated at Maryland's designated trauma centers only and is not limited to minors.

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**Exhibit 1**  
**Patients That Sustained Injuries Due to Falls from Horses\***  
**Fiscal 2018-2022**

| <u>Fiscal Year</u> | <u>Patients with Head Injuries</u> | <u>Patients with No Head Injuries</u> | <u>Total</u> |
|--------------------|------------------------------------|---------------------------------------|--------------|
| 2018               | 26                                 | 73                                    | 99           |
| 2019               | 24                                 | 62                                    | 86           |
| 2020               | 33                                 | 61                                    | 94           |
| 2021               | 24                                 | 79                                    | 103          |
| 2022               | 22                                 | 58                                    | 80           |

\*Patients treated at Maryland designated trauma centers only.

Source: Maryland State Trauma Registry

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**Additional Information**

**Prior Introductions:** Similar legislation has been introduced within the last three years. See HB 713 of 2022.

**Designated Cross File:** None.

**Information Source(s):** Maryland Institute for Emergency Medical Services Systems; Judiciary (Administrative Office of the Courts); Department of Natural Resources; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - January 31, 2023  
rh/ljm Third Reader - March 16, 2023  
Revised - Amendment(s) - March 16, 2023

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