

SENATE BILL 42

R2

(PRE-FILED)

4r1432
CF HB 113

By: **Senator Kelly**

Requested: November 1, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2024

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Horse Riding – Helmet Requirement for Minors**

3 FOR the purpose of prohibiting an adult from allowing certain minors to ride a horse on
4 certain property unless the minor is wearing a helmet that meets certain standards;
5 and generally relating to helmet requirements and horse riding.

6 BY repealing and reenacting, without amendments,

7 Article – Transportation

8 Section 11–101 and 11–127

9 Annotated Code of Maryland

10 (2020 Replacement Volume and 2023 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Transportation

13 Section 21–104

14 Annotated Code of Maryland

15 (2020 Replacement Volume and 2023 Supplement)

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

18 **Article – Transportation**

19 11–101.

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 In the Maryland Vehicle Law, the following words have the meanings indicated,
2 unless the context requires otherwise.

3 11–127.

4 “Highway” means:

5 (1) The entire width between the boundary lines of any way or
6 thoroughfare of which any part is used by the public for vehicular travel, whether or not
7 the way or thoroughfare has been dedicated to the public and accepted by any proper
8 authority; and

9 (2) For purposes of the application of State laws, the entire width between
10 the boundary lines of any way or thoroughfare used for purposes of vehicular travel on any
11 property owned, leased, or controlled by the United States government and located in the
12 State.

13 21–104.

14 (a) Every person riding an animal or driving an animal–drawn vehicle on a
15 roadway has all the rights granted to and is subject to all the duties required of the driver
16 of a vehicle by this title, except for those provisions of this title that by their very nature
17 cannot apply.

18 (b) (1) Except in Charles, Worcester, and St. Mary’s counties, or as provided
19 in paragraph (2) of this subsection, a person may not ride an animal or drive an
20 animal–drawn vehicle on:

21 (i) Any divided highway where the posted maximum speed limit is
22 more than 35 miles per hour; or

23 (ii) Any controlled access highway.

24 (2) In Anne Arundel County, a person may ride an animal on any part of a
25 highway described in paragraph (1) of this subsection, other than on its roadway or
26 shoulder.

27 **(C) (1) IN THIS SUBSECTION, “HORSE” INCLUDES DONKEYS, MULES, AND**
28 **PONIES.**

29 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
30 **THIS SUBSECTION APPLIES ONLY TO HORSE RIDING ON:**

31 **1. A HIGHWAY;**

1 2. A PUBLIC HORSE-RIDING PATH OR TRAIL; OR

2 3. THE GROUNDS OF A FACILITY ~~THAT~~:

3 A. WHOSE PRIMARY PURPOSE IS EQUESTRIAN
4 ACTIVITIES; AND

5 B. THAT SOLICITS OR OFFERS TO THE PUBLIC
6 RECREATIONAL, EDUCATIONAL, THERAPEUTIC, OR COMPETITIVE EQUESTRIAN
7 ACTIVITIES.

8 (ii) THIS SUBSECTION DOES NOT APPLY TO A MINOR WHO IS:

9 1. CROSSING A PUBLIC HIGHWAY THAT SEPARATES
10 PRIVATELY OWNED LAND;

11 2. ENGAGED IN AN AGRICULTURAL PRACTICE OR
12 PURSUIT; ~~OR~~

13 3. A MEMBER OF AN AMISH OR A MENNONITE
14 COMMUNITY; OR

15 4. RECEIVING THERAPY SERVICES FROM A LICENSED
16 MEDICAL PROVIDER AND FOR WHOM THE USE OF AN ALTERNATIVE HELMET IS
17 NECESSARY, APPROPRIATE, AND IN COMPLIANCE WITH THE PROFESSIONAL
18 ASSOCIATION OF THERAPEUTIC HORSEMANSHIP INTERNATIONAL'S GUIDELINES
19 FOR ALTERNATIVE HELMET USE.

20 (3) AN ADULT WHO IS PRESENT AND DIRECTLY SUPERVISING A
21 MINOR MAY NOT ALLOW THE MINOR TO RIDE A HORSE UNLESS THE MINOR IS
22 WEARING A PROPERLY SECURED HELMET THAT MEETS OR EXCEEDS THE
23 STANDARDS OF THE AMERICAN SOCIETY OF TESTING AND MATERIALS FOR
24 PROTECTIVE HEADGEAR USED IN EQUESTRIAN RIDING.

25 (4) A VIOLATION OF THIS SUBSECTION INVOLVING AN ADULT
26 SUPERVISING MULTIPLE MINORS AT THE SAME TIME SHALL BE TREATED AS A
27 SINGLE VIOLATION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2024.