



Maryland Association for Justice, Inc.

2020 Position Paper

HB 1263

Vehicle Laws - Overtaking and Passing Bicycles, EPAMDs, or Motor Scooters

FAVORABLE

The Maryland Association for Justice (MAJ) is an organization of trial lawyers. Our members represent the victims injured in car accidents and personal injury cases. Many of our members specifically represent victims in cases caused by the negligence of at-fault drivers.

This bill specifies that the driver of a vehicle may drive on the left side of the roadway in a no-passing zone to make the minimum adjustment necessary to overtake and pass at a safe and lawful distance a pedestrian or bicycle, an electric personal assistive mobility device (EPAMD), or a motor scooter that is traveling in the same direction.

Passing and overtaking in this manner (1) is authorized only if the driver reasonably believes, based on weather, road, and vehicular or pedestrian traffic conditions, that the adjustment does not endanger, impede, or interfere with a pedestrian or another vehicle and (2) must be in accordance with existing limitations on overtaking or driving on the left. In addition, the bill repeals a specified exception to the three-foot clearance rule that permits a vehicle to pass a bicycle, EPAMD, or motor scooter at a distance of less than three feet if on a highway that is not wide enough to lawfully pass at the minimum three-foot distance.

This is a commonsense bill that promotes pedestrian and bicyclist safety while weighing the importance of the current rules of the road for vehicle drivers.

**The Maryland Association for Justice respectfully urges a
Favorable Report on HB 1263**