

**SB077\_IndivisibleHoCoMD\_FAV\_ElizabethFixsen.pdf**

Uploaded by: Elizabeth Fixsen

Position: FAV



## **SB077**

### **Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements Testimony before Judicial Proceedings Committee**

**Hearing January 31, 2024, 1:00 pm**

**Position: FAVORABLE**

Committee Chair Sen. Smith, Vice Chair Waldstreicher, and members of the committee, my name is Elizabeth Fixsen, and I represent the 700+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today in **support of SB077** providing that bicycles, play vehicles, and unicycles be allowed to drive on pedestrian sidewalks unless prohibited by the local municipality.

Maryland law 21-1103 currently prohibits people, including children, from riding bicycles and similar vehicles such as scooters on sidewalks unless the local jurisdiction expressly permits it by ordinance. Montgomery and Howard Counties have long had such ordinances. HB0111 would flip the terms statewide to presumptively allow such usage unless expressly prohibited by the local jurisdiction. The bill provides for pedestrian safety by requiring bicycles, etc. to yield the right-of-way to pedestrians and persons in wheelchairs or other electric person mobility assistive devices.

Allowing bicycling on sidewalks also advances equity. Many lower-income individuals rely on a bicycle for trips to work, school, shopping, and other destinations. Many others bike for fitness and recreation, but they live and travel in areas that lack safe bikeways.

The threat of climate change demands that all of us do our part to reduce the use of fossil fuels. When individuals use bicycles as a mode of transportation instead of cars, fossil fuel usage is reduced. However, riding bicycles in street traffic can be dangerous. Allowing riders to use the sidewalks keeps them safer and provides an incentive for bicycle usage.

Thank you for your consideration of this important legislation.

**We respectfully urge a favorable report.**

Elizabeth Fixsen  
Savage, MD

# **Bikemore SB0077 Sidewalk Riding Favorable.pdf**

Uploaded by: Jed Weeks

Position: FAV



January 30, 2024

Senate Judicial Proceedings Committee  
Annapolis, MD 21401

## **FAVORABLE - SB0077 Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements**

Dear Chair Smith and Members of the Committee:

Bikemore is writing on behalf of our more than 5,000 engaged constituents and the hundreds of thousands of Baltimoreans who walk, bike, and take transit in support of SB0077.

Baltimore City bans biking or scooting on sidewalks, with a narrow exception for e-bikes and scooters using sidewalks on arterials with higher speed limits where no bicycle infrastructure exists. Historically, we've been told by city legislators that the city is following Maryland's default laws in not changing this practice, and if Maryland law were to change course, we could revisit these changes locally.

Scooter and bicycles are heavily used in Baltimore City as a form of transportation in our lower income communities. A majority of all of our scooter operators' low-income access plan users in the country are located in Baltimore City alone. Yet most places in our city where these users are riding lack a connected network of all-ages and abilities bike lanes and trails for safe riding. We are advocating for safer and more infrastructure, but in the meantime the reality is many of these users are forced to ride on sidewalks to remain safe.

In March 2023, leading mobility justice researcher Charles T. Brown of Equitable Cities released a report entitled [\*Arrested Mobility: Barriers to Walking, Biking, and E-Scooter Use in Black Communities in the United States\*](#), identifying structurally racist policies and laws that, while intended to promote safety, can result in disparate, racist, and discriminatory policing or fears of that policing that can depress ridership. Sidewalk riding bans were highlighted as one of these policies in need of revision or repeal.

SB0077 is a strong step toward addressing these concerns. It still allows local jurisdictions to legislate for their communities, but provides a guiding default of permissiveness. It contains provisions requiring yielding to pedestrians to maintain safety and reiterate pedestrians have priority on sidewalks over any other user. It will help us advocate for transportation equity and justice in Baltimore City.

We encourage a favorable report on SB0077.

**Sincerely,**

**Jed Weeks**  
Executive Director

# **BikeAAASupportBikesonSidewalksSB77.pdf**

Uploaded by: Jon Korin

Position: FAV



# *Support SB77*

## *Safe Biking on Sidewalks*

*Bicycle Advocates for Annapolis & Anne Arundel County*  
*P.O. Box 208, Arnold, MD 21012*    [www.bikeaaa.org](http://www.bikeaaa.org)

Senate Judicial Proceedings Committee  
Annapolis, MD 21401-1991

January 30, 2024

RE: SUPPORT House Bill 77

Dear Chair and Members of the Committee,

I am a resident of District 30, president of Bicycle Advocates for Annapolis and Anne Arundel County (“BikeAAA”), Chair of the Anne Arundel County Bicycle Advisory Commission, and former Member of the 2017 Maryland Bicycle Safety Task Force. On behalf of BikeAAA and its more than 1,000 members, we support SB77.

Maryland law 21-1103 prohibits people, including children, from riding bicycles (which includes similar devices like ebikes and scooters) on sidewalks unless the local jurisdiction expressly permits it by ordinance. Montgomery and Howard Counties have long had such ordinances and in 2021 the City of Annapolis clarified their permitting ordinance and Anne Arundel County unanimously passed one with bipartisan sponsorship. Montgomery and Howard Counties have not experienced pedestrian complaints or issues with bicyclists on sidewalks.

Many people rely on bicycles for transportation, especially in our lower income communities and yet most places lack a connected network of paved trails and bike lanes for them to safely complete their trips to work, school, transit, shopping and other destinations. Some bus and rail transit users rely on bikes for the “last mile” at either end including carrying their bikes on bus-front racks, light rail or MARC trains. Many recreational riders prefer to bike from home to a park, trail, library or other destination rather than putting the bike on a rack on the back of the car. There are many children who bike to school. All of them ride on sidewalks where there is no safe alternative. Any police officer will tell you that no one of any age is going to be ticketed for biking safely on a sidewalk. At the same time, biking safely on a sidewalk should not be a reason for a law enforcement action. The current situation is that people ride on sidewalks for safety and yet Maryland law prohibits it. The bill includes a requirement for bike riders to yield to pedestrians, so unsafe riding would still be a violation. SB77 advances Maryland’s Vision Zero goals by aligning Maryland code with safe and equitable biking. It will align our law with the current safe public practice and law enforcement policy. It would also permit local jurisdictions to prohibit bikes on sidewalks in areas where it is deemed unsafe.

Please support SB77 to make Maryland mobility safe for all people, especially our most vulnerable.

Sincerely,

Jon Korin  
President, Bicycle Advocates for Annapolis & Anne Arundel County (443-685-4103)

BikeAAA is an all-volunteer 501(c)(3) promoting safe cycling for transportation & recreation

# **Bike MD 2024 SB 77 – Riding on Sidewalks.pdf**

Uploaded by: Joshua Feldmark

Position: FAV



SB 77 – Vehicle Laws – Bicycles, Play Vehicles, and Unicycles – Authorizations and Requirements

Judicial Proceedings Committee

January 31, 2024

Josh Feldmark

[joshua@bikemd.org](mailto:joshua@bikemd.org)

Position: Support

My name is Joshua Feldmark and I write this as a representative of Bike Maryland. We represent cyclists of all abilities across the state, cyclists who ride 5 miles around the park with their families, for transportation, to a 100-mile ride. Bike Maryland has over 18,000 members from across the state. Additionally, we consistently organize or advocate on behalf of pedestrians and many other non-vehicle transportation users.

As you have probably noticed, I begin all of our written testimony with the above paragraph. I do so, one because it was the intro our friend Kim Lamphier wrote for all her testimony on behalf of Bike Maryland and also to continually make clear that we are here to represent the interests of ALL cyclists.

This is most relevant to HB 111 because this is an issue most likely to impact kids on bikes, individuals who use their bike as transportation, and occasional recreational cyclists. This bill simply flips a default in state law. Currently state law says that bikes are prohibited on sidewalks unless the local governing authority expressly allows it in law. This bill flips that so that bikes are allowed on sidewalks unless the local governing authority expressly prohibits it in law.

There are many locations in every jurisdiction in Maryland where sidewalks represent the safest and most efficient place for cyclists. Currently, in jurisdictions other than Howard, Frederick, and Montgomery County and the city of Annapolis, a child riding her bike to school on sidewalks is breaking the law. This is easily fixed, costs no money, and will make everyone safer.

Bike Maryland fully supports SB 77 and urges a favorable report.



# **BikesonSidewalks.pdf**

Uploaded by: Kurt Riegel

Position: FAV



# **Annapolis Transportation Board**

# **Bicycles on Sidewalks**

Annapolis, Anne Arundel County, State of Maryland

Where do we stand?

What should we do?



# Goal

- **Diverse and resilient transportation system that serves everyone**
- **Bicycles are just one (important) component**
- **Good and safe infrastructure is difficult & expensive, so let's address a bite-size chunk**
- **Some infrastructure already exists - sidewalks**
- **Not ideal but here, paid for, and underutilized**



# Bicycles on Sidewalks

- **Maryland State law forbids bicycles on sidewalks as the default setting statewide**
- **Localities can override**
- **Some do, some don't**
- **Localities' rules often confusing/contradictory**
- **Riders have no good way of knowing whether a trip traversing several localities is legal**



# Present Local Situation

- **Maryland State law forbids bicycles on all sidewalks, state/county/city, by default**
- **AACounty same, except “where permitted”**
- **Annapolis is blurry, forbidding “negligent riding” so we mostly don’t know one way or the other**



# Why Change?

- **Many roads are unsafe, or safe only for highly skilled “spandex” riders**
- **Vulnerable populations (children, elderly, inexperienced) are mandated by law to ride on unsafe roads built for & used by cars**
- **Hardly any safe infrastructure & yet we forbid using safe infrastructure that already exists and is underutilized**



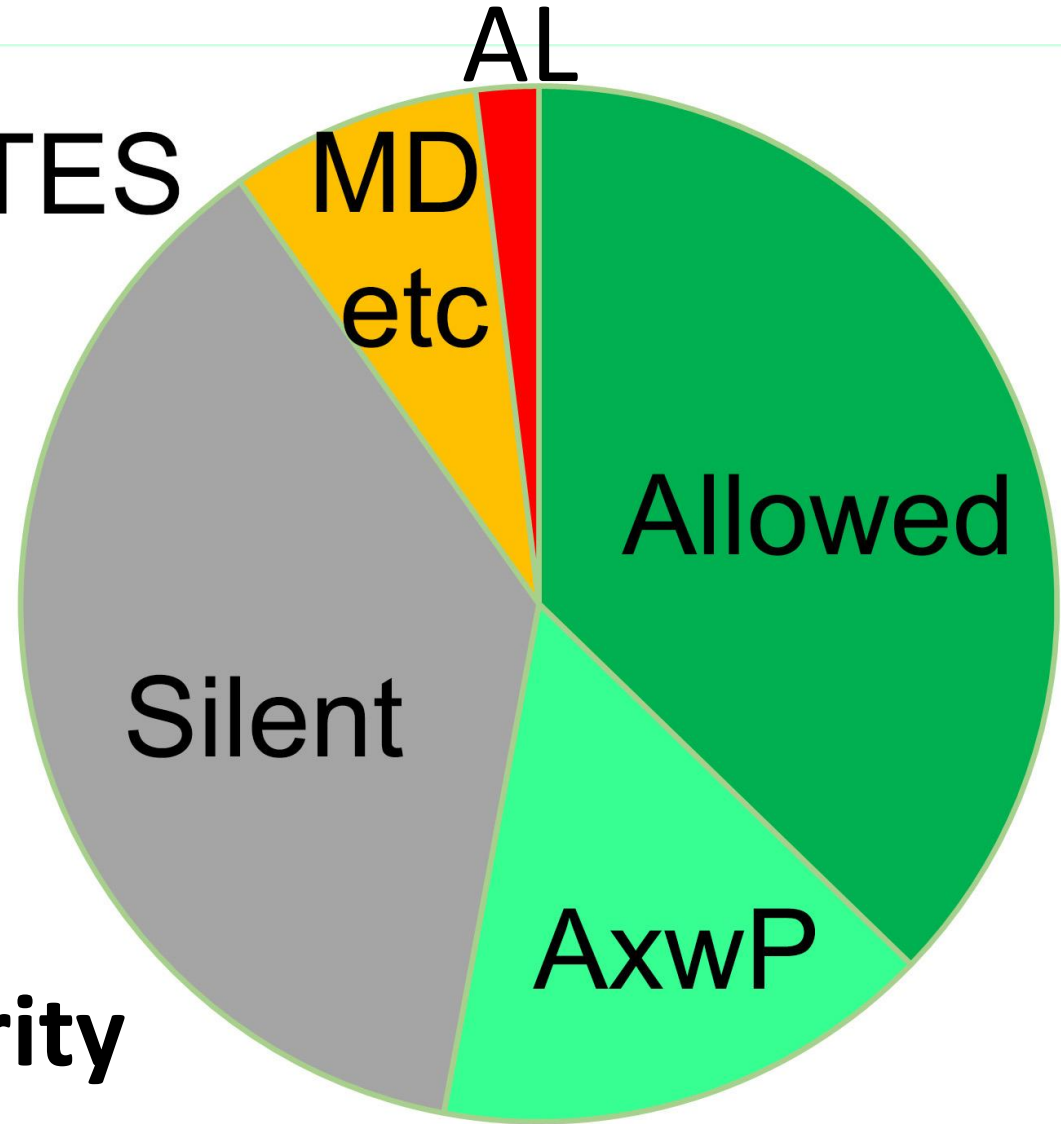
# STATES

**Allowed:** CO, CT, DC, FL, ID, IL, MI, MN, MO, MT, NE, OH, OR, RI, SD, UT, WA, WI, WY

**Allowed except where Prohibited (AxwP):** AK, DE, HI, KY, ME, MA, PA, VA

**Silent:** CA, AZ, AR, IN, IA, KS, LA, MS, NV, NJ, NM, NY, NC, OK, SC, TN, TX, VT, WV

**Prohibited unless allowed:** MD, GA, NH, ND  
**Prohibited:** AL



**Maryland is in the Minority**  
**We are not “normal”**

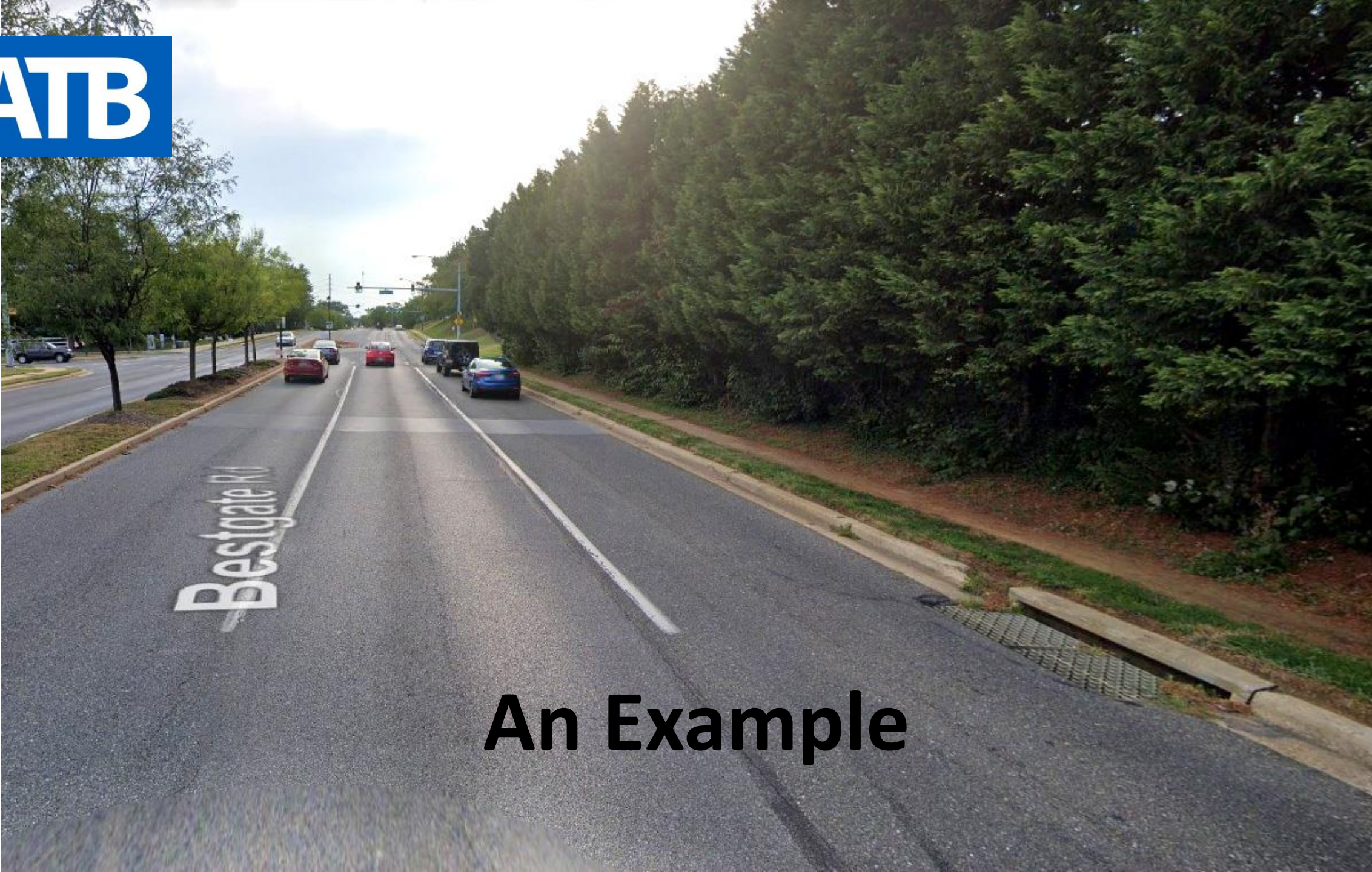


# Anne Arundel County

- **Rule mostly mirrors the State law**
- **Would be fixed if/when State law is changed**
- **Meanwhile, AA County & Annapolis should harmonize each other's rules to be more supportive & tolerant of bicycles on sidewalks**



**ATB**



**An Example**



# City of Annapolis

- Existing rule is blurry and should be clarified
- O-31-20 introduced, clarifies bikes are allowed
- Areas prohibitable by Director of Public Works
- No explicit obligation to consult public and stakeholders for input/advice
- ATB has recommended clarifying this



# Let's Solve These Problems

- **Reverse State of MD default**
- **Don't force people onto roads that are unsafe, or safe only for "spandex" riders**
- **Protect vulnerable populations (children, elderly, inexperienced) from exposure to cars**
- **Lacking safe bicycle infrastructure, allow using safe infrastructure that already exists**



# Board Recommendations

1. City work to reverse default statewide sidewalk ban
2. Council resolution encouraging our legislative delegation/  
Transportation Caucus to action (Sarah Elfreth, Dana Jones)
3. Coordinate & harmonize AACo & City rules for sidewalks
4. Pass ordinance O-31-20 with ATB suggestions, for city's  
interim bicycle/sidewalk rule pending reform of state law
5. Develop clear city/county standards/administrative  
procedures for signs & designating prohibited areas, with  
public input from relevant boards & commissions and others
6. Stress need for major new bicycle infrastructure

end

# **R-2-21 Resolution to State.pdf**

Uploaded by: Kurt Riegel

Position: FAV

1 **..Title**

2 **Non-motorized Wheeled Vehicles on Sidewalks** - For the purpose of encouraging the Maryland  
3 General Assembly to amend State law to allow non-motorized wheeled vehicles on sidewalks by  
4 default; providing amendment language; and generally relating to non-motorized wheeled vehicles  
5 on sidewalks.

6 **..Body**

7 **CITY COUNCIL OF THE**  
8 **City of Annapolis**

9  
10 **Resolution 2-21**

11 **Introduced by: Alderwoman Tierney**

12 **Co-sponsored by: Alderwoman Pindell Charles, Alderman Schandelmeier**

13 **A RESOLUTION** concerning

14  
15 **Non-motorized Wheeled Vehicles on Sidewalks**

16  
17 **FOR** the purpose of encouraging the Maryland General Assembly to amend State law to allow  
18 non-motorized wheeled vehicles on sidewalks by default; providing amendment language;  
19 and generally relating to non-motorized wheeled vehicles on sidewalks.

20  
21 **WHEREAS,** Annapolis requires a more diverse and resilient transportation system to support its  
22 citizens and commerce; and

23 **WHEREAS,** alternative transportation modes contribute increasingly to the diversity and  
24 resilience of the overall transportation system; and

25 **WHEREAS,** non-motorized wheeled vehicles, such as bicycles, are growing in their importance  
26 among alternative modes of transportation; and

27 **WHEREAS,** safety concerns represent the primary factor inhibiting people who want to use non-  
28 motorized vehicles for transportation; and

29 **WHEREAS,** the development of new infrastructure, such as individualized road lanes and paths  
30 for non-motorized vehicles, or pedestrian only paths are hindered by lack of funding  
31 and time constraints; and

32 **WHEREAS,** infrastructure in the form of sidewalks currently exist but are underutilized due to  
33 a defect in State law that exacerbates personal safety concerns among cyclists; and

34 **WHEREAS,** child, elderly, and inexperienced cyclists are presently mandated by State law to  
35 use roads and streets designed for high-speed automotive traffic when safer and  
36 underutilized sidewalks are available; and

37 **WHEREAS,** state, county, and municipal laws are confusing, inconsistent, and either discourage  
38 or prohibit the safe use of existing infrastructure by non-motorized wheeled  
39 vehicles; and

40 **WHEREAS,** Maryland stands in a small minority of 4 out of 50 states and the District of  
41 Columbia in prohibiting non-motorized wheeled vehicles on sidewalks; and

42 **WHEREAS,** on January 11, 2021, the Annapolis City Council adopted Ordinance 31-20, to serve  
43 as an interim measure pending reform of State law.  
44  
45  
46

1 **NOW, THEREFORE,**

2  
3 **BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the Maryland General  
4 Assembly is encouraged to modify the Maryland Annotated Code, Transportation Article, Section  
5 21-1103(b)(2) to allow by default non-motorized vehicles on sidewalks throughout the State of  
6 Maryland, and suggests the following amendments:

7  
8 “Maryland State Code, Transportation, Title 21 - Vehicle Laws -- Rules of the Road Subtitle 11 -  
9 Miscellaneous Rules, § 21-1103. Driving on sidewalk.

- 10  
11 a) Except as provided in subsection (b), (c), or (d) of this section, a person may not drive any  
12 vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary  
13 driveway.
- 14 b)
- 15 1) For the purposes of this subsection, “bicycle” does not include “moped”, as defined in  
16 § 11-134.1 of this article.
  - 17 2) ~~Where allowed~~ **UNLESS PROHIBITED** by local ordinance, a person may ride a  
18 bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area. **RIDERS SHALL**  
19 **PROCEED IN A SAFE MANNER, YIELDING TO PEDESTRIANS.**
  - 20 3) In a place where a person may ride a bicycle on a sidewalk or sidewalk area, a  
21 person may also ride a bicycle from the curb or edge of the roadway in or through a  
22 crosswalk to the opposite curb or edge of the roadway.
- 23 c) Unless prohibited by local ordinance, an individual with a disability may use a special  
24 vehicle other than a wheelchair on sidewalks or sidewalk areas.
- 25 d) An individual may use a wheelchair on sidewalks or sidewalk areas in accordance with §  
26 21-501.1 of this title.”
- 27

28 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that members  
29 of our delegation to the Maryland General Assembly, especially those members on the Maryland  
30 Transportation Caucus, are encouraged to advocate for these amendments to the Maryland State  
31 Code.

32  
33 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City  
34 of Annapolis will continue to work with Anne Arundel County in an effort to unify State, County,  
35 and City laws relating to non-motorized wheeled vehicles.

36  
37 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City  
38 of Annapolis commits to work with Anne Arundel County to develop clear assessment  
39 requirements, safety standards, and administrative procedures under any State reformed law  
40 relating to sidewalks and non-motorized wheeled vehicles.

41  
42 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City  
43 Clerk shall send a copy of this Resolution to the Governor, the President of the Senate, the Speaker  
44 of the House of Delegates, and the Maryland Municipal League.

45  
46 **EXPLANATION**

47 UPPERCASE indicates matter added.



1

~~Strikethrough~~ indicates matter stricken.

# **Riegel Written testimony in support of SB77.pdf**

Uploaded by: Kurt Riegel

Position: FAV

Written testimony in support of SB77 (An Act concerning Bicycles, Play Vehicles, and Unicycles – Authorizations and Requirements)

I write to support this legislation, for benefits that it provides including:

- To increase safety for bicyclists in Maryland
- To encourage bicycling, a nonpolluting and healthful transportation mode
- As a step toward diversified and resilient transportation which includes many modes
- For equity, opening bicycling as a safe transportation mode for low income persons
- To harmonize Maryland's bicycling on sidewalks rules to match those of most other states
- To relieve automotive congestion by diverting some travelers away from cars to bicycles.

Kurt Riegel, PhD

Chairman, Annapolis Transportation Board

Attachments:

Resolution by the Annapolis City Council recommending to the Maryland State

. (R-2-21 Resolution to State.pdf)

Slide presentation on recommendations above (Bicycle.pdf)

**2024-SB0077-Sidewalks-T4BL-FAV (1).pdf**

Uploaded by: Nicholas Marks

Position: FAV



SB 77: Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements  
Senate Judicial Proceedings Committee  
Terps For Bike Lanes – FAVORABLE

February 1, 2024

Chair Smith and Committee Members,

We are writing this testimony in support of SB0077—the Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements Act. Terps for Bike Lanes is an organization dedicated to enhancing bicycle infrastructure in and around UMD, with a focus on creating a safe and inclusive environment. We believe that supporting legislation such as SB0077 aligns with our mission and values, which revolve around sustainability, accessibility, and equity. Our efforts extend to various areas, including the establishment of new bike lanes and paths, the enhancement and maintenance of existing bike facilities, and the development of bike infrastructure in areas where it is currently insufficient or absent. Expanding bike infrastructure, as proposed in SB0077, not only promotes environmental sustainability by offering an eco-friendly transportation option but also enhances accessibility by making our campus more cyclist and pedestrian-friendly. This legislation is crucial in ensuring the safety and convenience of individuals using bicycles, play vehicles, or unicycles on sidewalks or sidewalk areas.

Moreover, we hold that bike infrastructure contributes to addressing economic disparities in marginalized communities. Students who depend on affordable personal transportation and areas affected by environmental and transportation inequalities can benefit greatly from improved biking facilities. By providing a viable and cost-effective mode of transportation, this legislation supports the economic well-being of individuals in these communities. We see SB0077 as a positive step towards achieving our shared goals and creating an environment that prioritizes sustainability, accessibility, and equity.

Promoting cycling has been acknowledged as a strategy to foster sustainability and address economic and social goals (Banister, 2011; Sagaris, 2021). The bicycle is considered a low-carbon

and affordable mobility option, with the potential to reduce inequalities in cities and mitigate adverse effects of climate change and motorized transport misuse (Karner, 2016). SB0077 aligns with this research. A prior version of this bill received bipartisan support and passed the House 135 – 2 during the 2023 session. It also received a positive hearing in the Senate Judicial Proceedings Committee but never got a committee vote. Several jurisdictions including Montgomery, Howard, and Anne Arundel counties and cities of Rockville, Frederick, and Annapolis have already permitted it, typically with a provision to yield to pedestrians.

In conclusion, we urge you to consider our endorsement of SB0077 and support the authorization for individuals to ride bicycles, play vehicles, or unicycles on sidewalks or sidewalk areas, unless prohibited by local ordinance. Additionally, requiring individuals using such modes of transportation to yield the right-of-way to pedestrians or those using electric personal assistive mobility devices is a crucial safety measure that aligns with our commitment to a safe and inclusive campus. We look forward to seeing positive advancements in bicycle infrastructure that will benefit the entire Maryland community. Terps For Bike Lanes urges a Favorable SB0077 committee report and Senate floor vote. Thank you for the opportunity to testify on this legislation.

Sincerely,

President - Nicholas Marks

Vice President - Olivia Dinkel

Treasurer - Parisi Fida

Secretary - Stefano Raffo

Student Governance Liaison - Ian Gould

Social Media Director - Alexa Moore

Community Outreach Coordinator - Meaghan Hart

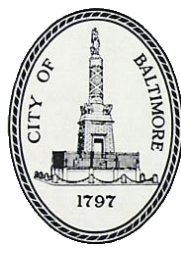
Campus Affairs Coordinator - Cameron Deocampo

terps4bikelanes@gmail.com

**SB0077-JPR-FAV.pdf**

Uploaded by: Nina Themelis

Position: FAV



BRANDON M. SCOTT  
MAYOR

*Office of Government Relations  
88 State Circle  
Annapolis, Maryland 21401*

**SB0077**

January 31, 2024

**TO:** Members of the Senate Judicial Proceedings Committee

**FROM:** Nina Themelis, Director of Mayor's Office of Government Relations

**RE:** Senate Bill 77 – Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements

**POSITION: Support**

Chair Smith, Vice Waldstreicher and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 77.

SB 77 allows the use of bicycles and similar vehicles on sidewalks unless forbidden in local ordinance. This language affirms the right of more vulnerable road users to a safe riding experience while also prioritizing the comfort and safety of pedestrians.

Maryland is home to many communities lacking safe and reliable access to safe transportation alternatives. Our transportation corridors are lacking in terms of high-quality, dedicated bike and e-scooter infrastructure. Changing Maryland's existing stance regarding the riding of bikes on sidewalks from "prohibited" to "allowed" will expand access and send a clear message that our transportation corridors should accommodate all users. Though a long-term goal of local governments, including Baltimore City, is the installation and construction of safe bicycle infrastructure, we believe this is a step in the right direction.

For these reasons, the BCA respectfully request a **favorable** report on SB 77.



**2024-SB77-BikesOnSidewalks-FAV.pdf**

Uploaded by: Seth Grimes

Position: FAV



SB 77: Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements  
Senate Judicial Proceedings Committee  
Washington Area Bicyclist Association – FAVORABLE

February 1, 2024

Chair Smith and Committee Members,

**Transportation safety is a paramount mobility concern. SB 77, allowing bikes on sidewalks as the default state-wide, would make bicycling safer. The Washington Area Bicyclist Association (WABA), an advocacy organization with 1,200 Maryland members, supports the bill.**

Bicycling in traffic with cars, trucks, and buses is dangerous and discouraging for bicyclists, yet Maryland law currently prohibits people, including children, from riding a bicycle (or a scooter) on a sidewalk unless expressly allowed by local ordinance. Montgomery and Howard Counties do have an ordinance to allow bikes on sidewalks and have experienced no significant issues. It's time to make this simple and sensible provision uniform across the state, by enacting SB 77.

Maryland is committed to Vision Zero, a goal of zero motor vehicle-related fatalities and serious injuries by 2030. We are building out a network of bike lanes and trails while working to make neighborhood streets safer for all users. Allowing bicycling on sidewalks is part of this important in-progress work.

Allowing bicycling on sidewalks also advances equity. Many lower-income individuals rely on a bicycle for trips to work, school, shopping, and other destinations, and bike for recreation, but live and travel in areas that lack safe bikeways.

Making bikes on sidewalks the default, via SB 77, will help Maryland meet our transportation safety and equity and Vision Zero pledges.

The Washington Area Bicyclist Association urges a Favorable SB 77 committee report and Senate floor vote.

Thank you for the opportunity to testify on this legislation.

Seth Grimes, WABA Maryland organizer  
seth.grimes@waba.org

**SB0077 Bikes on Sidewalks - FBC FAVORABLE.pdf**

Uploaded by: Shayne Boucher

Position: FAV



## SB0077 – Bikes on Sidewalks Senate Judicial Proceedings Committee

January 31, 2024

Tom Rinker, President  
Frederick Bicycle Coalition  
[president@bikefrederick.org](mailto:president@bikefrederick.org)

### Position: FAVORABLE

Greetings Chair and Members of the Committee

I am an avid cyclist, a mobile bike service owner, Frederick County resident and President of Frederick Bicycle Coalition. [Frederick Bicycle Coalition](https://www.bikefrederick.org) represents a broad coalition of recreational, commuter, mountain and adaptive cyclists. Our mission is to work with government, organizations, and individuals to promote increased and safe access for bicyclists and others in the Frederick County. We have over 1,700 followers on Facebook.

Maryland law 21-1103 prohibits people, including children, from riding bicycles (which includes similar devices like scooters) on sidewalks unless the local jurisdiction expressly permits it by ordinance. Montgomery and Howard Counties have long had such ordinances. In 2021, the City of Annapolis clarified their permitting ordinance and Anne Arundel County unanimously passed one with bipartisan sponsorship. Montgomery and Howard Counties have not experienced pedestrian complaints or issues with bicyclists on sidewalks.

In Frederick, many people rely on bicycles for transportation, especially in our lower income communities and yet most places lack a connected network of paved trails and bike lanes for them to safely complete their trips to work, school, transit, shopping and other destinations. Some bus and rail transit users rely on bikes for the “last mile” at either end including carrying their bikes on bus-front racks or MARC trains. Many recreational riders prefer to bike from home to a park, library or other destination rather than toting their bikes on their cars. There are children who bike to school and virtually all of them ride on sidewalks where there is no safe alternative.

Riding a bike safely on a sidewalk should not be a reason for a law enforcement action. Any police officer will tell you that no one of any age is going to be ticketed for biking safely on a sidewalk. The current situation is that people ride on sidewalks for safety and yet Maryland law prohibits it. This bill advances Maryland’s Vision Zero goals by aligning Maryland code with safe and equitable biking. It will align our law with the current safe public practice and law enforcement policy. It would also permit local jurisdictions to prohibit bikes on sidewalks where it is deemed unsafe.

We request that the committee support SB0077 to make Maryland mobility safe for all users, especially our most vulnerable.

**Titus\_testimony\_SB77.pdf**

Uploaded by: James Titus

Position: UNF

**Committee: Senate Judicial Proceedings Committee**

**Testimony on: Senate Bill 0077 - "Bicycles, Play Vehicles, and Unicycles – Authorizations and Requirements"**

**Position: Unfavorable Without Amendment**

**Hearing Date: January 31, 2024**

**Person Submitting: James G Titus, 6718 Glenn Dale Rd., Glenn Dale MD, 20769, jtitus@risingsea.net**

Localities in only 31% of the state allow bikes on sidewalks, and this bill will increase that to 85%. But the bill also legalizes riding e-bikes and e-scooters on sidewalks for 98% of the state, compared with 2% today. These new devices are far more likely to injure a pedestrian. The bill should be amended to leave the law unchanged for e-bikes and e-scooters--or receive an unfavorable report. *(Suggested amendment text on last page.)*

<b>Table 1: How SB 77 changes whether Bikes and E-bikes are allowed on sidewalks, by locality</b>					
Applicable percent of state population in parentheses		Allowed on Sidewalks?			
		Regular Bikes		E-bikes	
		Today	SB77	Today	SB77
<b>SB 77 legalizes bikes and e-bikes on sidewalks (55%)</b>					
	Unincorporated portions and some towns in Allegheny, Baltimore, Calvert, Caroline, Carroll, Cecil, Charles, Dorchester, Frederick, Carrett, Harford, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties	No	Yes	No	Yes
	Most of Prince George's County <sup>1</sup> , Seat Pleasant <sup>2</sup>	Admin <sup>c</sup>	Yes	No	Yes
	North Brentwood, New Carrollton <sup>3</sup> (under 15 <sup>d</sup> ), Bowie (except city parks), Perryville <sup>4</sup> (under 16 and not B <sup>b</sup> ) Westminster <sup>5</sup> (under 14 and not B <sup>b</sup> )	No	Yes	No	Yes
<b>SB 77 legalizes e-bikes on sidewalks but regular bicycles still illegal (13%)</b>					
<i>Baltimore-Washington Area (12%)</i>					
	Baltimore, <sup>6</sup> Ellicott City <sup>7</sup> , Fairmont Heights <sup>8</sup> , Hyattsville <sup>9</sup> , New Carrollton (above 15) <sup>10</sup> , Mount Ranier, <sup>11</sup> University Park <sup>12</sup> , Bowie city parks <sup>13</sup> , Cheverly city parks <sup>14</sup> , Takoma Park <sup>15</sup> (over 12)	No	No	No	Yes
	Berwyn Heights <sup>16</sup>	Admin <sup>c</sup>	Admin <sup>c</sup>	No	Yes
<i>Outside of Baltimore-Washington Area (1.6%)</i>					
	Cambridge <sup>17</sup> (over 14 or B), Easton <sup>18</sup> , Chesterton <sup>19</sup> , Federalsburg <sup>20</sup> (B), Pocomoke City <sup>21</sup> (B), Princess Anne <sup>22</sup> (over 11 and B), Rock Hall <sup>23</sup> , Snow Hill <sup>24</sup> , Aberdeen <sup>25</sup> (B), Bel Air <sup>26</sup> (B), Williamsport <sup>27</sup> , Cumberland <sup>28</sup>	No	No	No	Yes
<b>SB 77 legalizes e-bikes on sidewalks, regular bikes already allowed (20%)</b>					
	Almost all of Howard County <sup>29</sup> and Montgomery County <sup>30</sup> , Takoma Park (under 12) <sup>31</sup>	Yes	Yes	No	Yes
<b>SB 77 has no effect (12%)</b>					
<i>Baltimore-Washington Area (10.6%)</i>					
	Anne Arundel County <sup>32</sup> , Gaithersburg <sup>33</sup>	Yes	Yes	Yes	Yes
	Bladensburg <sup>34</sup> , Brentwood (except child bikes) <sup>35</sup> Capitol Heights <sup>36</sup> , Colmar Manor <sup>37</sup> , Edmonston <sup>38</sup> , Laurel <sup>39</sup>	No	No	No	No
<i>Outside of Baltimore-Washington Area</i>					
	Berlin <sup>40</sup> , Havre De Grace (B) <sup>41</sup> , Perryville (over 16 or B) <sup>42</sup> Westminster <sup>43</sup> (over 14 or B)	No	No	No	No
<b>Notes.</b>					
a. See Table 2 for Details on Population					
b. (B) signifies that the ordinance applies in business and commercial districts.					
c. "Admin" signifies that the ordinance authorizes the executive to designate sidewalks where bikes are allowed.					
d. For example, "over 14" [or "under 14"] means cyclist is at least [or less than] 14 years old.					

Since the middle of the 20<sup>th</sup> century, it has been up to localities to decide whether to allow bicycles on sidewalks as an exception to the general prohibition against driving on a sidewalk. Jurisdictions with 30% of the population—mostly counties--have done so, while cities and towns with about 15% of the population have their own ordinances prohibiting bikes on sidewalks. But most counties, with 55% of the population, have not chosen to legalize bikes on sidewalks. Does that mean that they do not want bikes on sidewalks, or simply that the matter is not important enough to either enforce or remove the prohibition.

This bill is based on the assumption that inertia has prevented localities from allowing bikes on sidewalks, rather than the belief that bikes should be kept off sidewalks. *That is a reasonable assumption for ordinary bicycles:* The law is rarely enforced other than in localities that have their own ordinances; almost every bicyclist at least occasionally rides on a sidewalk; and outside cities; pedestrians rarely find bikes on sidewalks to be a problem. Legalizing bikes on sidewalks is unlikely to significantly change what most people do; it simply conforms the law to longstanding behavior.

But the situation is different for e-bikes and e-scooters:

- E-bikes are new, so unlike regular bikes, we do not have decades of experience to be confident that allowing them on sidewalks will be safe. So it makes more sense to let localities decide one at a time when to allow e-bikes on sidewalks.
- Because E-bikes and E-scooters are two to three times as fast as regular bikes, they are more likely to collide with a pedestrian.
  - A typical E-bike traveling at 18 mph is twice as fast as the typical sidewalk bike at 9 mph<sup>44</sup>
  - Some E-bikes travel up to 28 mph.
  - One study estimates pedestrian injuries are three times more likely for e-bikes.<sup>45</sup>
- Greater speed and weight also mean greater injury when a collision does occur.
  - At 18 mph with 30 pounds more weight, a typical collision would have more than twice the momentum and five times the kinetic energy imparted by a regular bike.<sup>46</sup>
  - The fastest/heaviest e-bikes and e-scooters hit a pedestrian with three times the momentum and 10 times the kinetic energy.<sup>47</sup>
- The benefits to a cyclist of riding on a sidewalk are less and the hazards greater as speeds increase.
  - At faster speeds, e-bikes are more likely to keep up with traffic than regular bikes, especially when going uphill.
  - Riding on sidewalks is hazardous to cyclists, especially at intersections, driveways, and on the left side of the road.<sup>48</sup> The accident rate on sidewalks is twice as great as on roads.<sup>49</sup> The faster one travels, the less likely a driver will notice the cyclist.
- Some e-bikes pose less of a risk, but the bill makes no distinction.<sup>50</sup>
- E-bikes are new, so laws enacted today are more likely to set the gradually evolving norms. Therefore, it makes more sense to allow those norms to evolve organically as cities and counties with the greatest site-specific experience set the rules. *The time for the state to set a general rule of allowing e-bikes on sidewalks would be after we have more time for localities to do so as occurred with regular bikes.*

Despite these problems, this bill does more to legalize e-bikes on sidewalks than it does for ordinary bikes, for two reasons. First, it legalizes e-bikes in localities that have already legalized ordinary bikes. More oddly, the bill legalizes e-bikes on sidewalks in Baltimore, Cambridge, Cumberland, and other cities that have local ordinances banning regular bikes on sidewalks. So on October 1, 2024, people will be allowed to ride e-bikes at 25 mph on the sidewalks of Baltimore, but not a regular bike at 8 mph.

It is no answer to say that this bill is merely changing the default rule, and localities will still be allowed to set their own rules. Localities already have that authority, and the entire premise of this bill is that even after more than 50 years, most localities have not acted. The bill is making a sweeping change by allowing motorized vehicles on sidewalks, without a solid base of information to show that doing so is safe.

**Table 2: Population of Various Jurisdictions Mentioned in Table 1**

	City or Town <sup>a</sup>	County	2020 Population
<b>Where The Bill legalizes bikes and e-bikes on sidewalks (55%)</b>			
	Rest of	Allegany	49,690
	.	Baltimore Co	850,737
		Calvert	93,244
	Rest of	Caroline	30,496
	Rest of	Carroll	152,853
	Rest of	Cecil	99,451
		Charles	167,035
	Rest of	Dorchester	19,535
		Frederick	273,829
		Garrett	28,856
	Rest of	Harford	216,526
	Rest of	Kent	17,602
	Rest of	Queen Anne's	44,607
	Rest of	Somerset	21,214
		St. Mary's	113,814
	Rest of	Talbot	20,186
	Rest of	Washington	152,562
		Wicomico	103,815
	Rest of	Worcester	40,891
	Rest of	Prince George's	863,269
		Total	3,360,212
<b>Where the Bill legalizes e-bikes on sidewalks but regular bicycles still illegal (13%)</b>			
	<i>Baltimore-Washington Area (12%)</i>		
	Baltimore	n/a	584,548
	Ellicott City	Howard	68,635
	Fairmont Heights	Prince Georges	1,516
	Hyattsville	Prince Georges	18,209
	New Carrollton	Prince Georges	13,725
	Mount Ranier	Prince Georges	8,498
	University Park	Prince Georges	2,705
	Takoma Park	Montgomery	17,045
	Rock Hall	Kent	1,687
	Berwyn Heights	Prince Georges	3,184
		Total	719,752



**Table 2: Population of Various Jurisdictions Mentioned in Table 1**

<i>Outside of Baltimore-Washington Area (1.6%)</i>			
Easton	Talbot		17,477
Cambridge	Dorchester		13,022
Chestertown	Queen Anne's		5,709
Federalsburg	Caroline		2,824
Princess Anne	Somerset		3,458
Pocomoke City	Worcester		4,549
Snow Hill	Worcester		2,204
Cumberland	Allegany		18,471
Aberdeen	Harford		19,035
Bel Air	Harford		10,595
Williamsport	Washington		2,083
			99,427
<b>Where the Bill legalizes e-bikes on sidewalks, regular bikes already allowed (20%)</b>			
Rest of	Howard		263,376
Rest of	Montgomery		970,208
			1,233,584
<b>Where to Bill has no Effect (12%)</b>			
<i>Baltimore-Washington Area (10.6%)</i>			
	Anne Arundel		588,109
Gaithersburg	Montgomery		69,657
Bladensburg	Prince Georges		9,148
Brentwood	Prince Georges		3,046
Capitol Heights	Prince Georges		4,337
Colmar Manor	Prince Georges		1,404
Edmonston	Prince Georges		1,528
Laurel	Prince Georges		26,620
<i>Outside Baltimore-Washington Area</i>			
Berlin	Worcester		5,183
Havre De Grace	Harford		14,903
Westminster	Carroll		20,372
Perryville	Cecil		4,425
Total			748,732
Notes			
a. "Rest of" means the population of the entire county, minus the population of towns within that county specifically listed in this table.			

## Notes

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<sup>1</sup> Prince George's County Code §26-150. Applies except in those incorporated towns with a local ordinance.

<sup>2</sup> Seat Pleasant Code §150-58

<sup>3</sup> New Carrollton Code §110-38(C)

<sup>4</sup> Perryville Code §10.36.060

<sup>5</sup> Westminster Code § 155-9

<sup>6</sup> Baltimore Code 18-1, 18-8

<sup>7</sup> Howard County Code §21-403.

<sup>8</sup> Fairmont Heights Code §5-104 Bicycles (1988)

<sup>9</sup> Hyattsville Charter §105-18 (1967).

<sup>10</sup> New Carrollton Code §110-38(C)

<sup>11</sup> Mount Ranier §10-101 (2023)

<sup>12</sup> University Park §9-108

<sup>13</sup> Bowie Code §17-2(u)

<sup>14</sup> Cheverly Code §16-1.

<sup>15</sup> Takoma Park §13.16.050

<sup>16</sup> Berwyn Heights Code §2 and 103-3.

<sup>17</sup> Cambridge Code §16-6.

<sup>18</sup> Easton Code §5-4

<sup>19</sup> Chesterton Code §160-8

<sup>20</sup> Federalsburg Code §197-9

<sup>21</sup> Pocomoke City §201-13

<sup>22</sup> Princess Anne §154-15 (2008)

<sup>23</sup> Rock Hall Code §§69-1, 69-3

<sup>24</sup> Snow Hill Code §162-1

<sup>25</sup> Aberdeen Code §505-9.

<sup>26</sup> Bel Air Code § 450-33

<sup>27</sup> Williamsport Code Chapter 30, §3.

<sup>28</sup> Cumberland Code §13-187

<sup>29</sup> Howard County Code §21-403.

<sup>30</sup> Montgomery County Code §31-5(b)

<sup>31</sup> Takoma Park §13.16.050

<sup>32</sup> Anne Arundel § 12-3-103.

<sup>33</sup> Gaithersburg Code §19-4.

<sup>34</sup> Bladensburg Code §103-5

<sup>35</sup> Brentwood Code §261-1

<sup>36</sup> Capital Heights Ordinances §8-302.

<sup>37</sup> Colmar Manor Code §10-110

<sup>38</sup> Edmonston Code §451-1

<sup>39</sup> Laurel Code §17-4

<sup>40</sup> Berlin Code §§32-68, 32-71

<sup>41</sup> Harvre De Grace Code §190-44.

<sup>42</sup> Perryville Code §10.36.060

<sup>43</sup> Westminster Code §155-9

<sup>44</sup> See [Average Bike Speed - How Do You Compare? - I Love Bicycling](https://ilovebicycling.com/average-bike-speed/), <https://ilovebicycling.com/average-bike-speed/>

<sup>45</sup> DiMaggio CJ, Bukur M, Wall SP, et al.(2020). Injuries associated with electric-powered bikes and scooters: analysis of US consumer product data. Injury Prevention 2020;26:524-528.

<sup>46</sup> Momentum is mass times velocity, while kinetic energy is mass times the square of velocity. Hence doubling the speed alone quadruples kinetic energy. The average e-bike weighs about 55 pounds.

<sup>47</sup> §11-117.2 allows electric low speed scooters to weigh as much as 100 pounds and travel up to 20 mph. §11-117.1 allows e-bikes to provide power up to 28 mph. Some class III e-bikes also weight 80 pounds or more. Triple the speed means that kinetic energy is nine times as great, and the extra 50 pounds can increase the total weight of a cyclist plus bike by about 20 percent.

<sup>48</sup> Bicyclists on sidewalks are 80 percent more likely to be injured at an intersection

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<sup>49</sup> E.g. Wachtel, Alan, and Diana Lewiston. "Risk factors for bicycle-motor vehicle collisions at intersections." ITE Journal(Institute of Transportation Engineers) 64.9 (1994): 30-35.

<sup>50</sup> The European e-bikes are light and only travel 15mph and require pedaling. At the other extreme, Class II e-bikes do not require pedaling and Class III e-bikes can travel 28 mph. The District of Columbia allows Class I and II e-bikes on sidewalks, but not the heaviest and fastest class III e-bikes.

# SENATE BILL 77

R5

(PRE-FILED)

4r0700

CF HB 111

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By: **Senator Waldstreicher**

Requested: September 25, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Bicycles, Play Vehicles, and Unicycles – Authorizations and Requirements**

3 FOR the purpose of authorizing a person to ride a bicycle, play vehicle, or unicycle on a  
4 sidewalk or sidewalk area unless prohibited by local ordinance; requiring a person  
5 riding a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or  
6 through a crosswalk to yield the right-of-way to a pedestrian or a person riding on  
7 an electric personal assistive mobility device; and generally relating to riding  
8 bicycles, play vehicles, and unicycles.

9 BY repealing and reenacting, without amendments,  
10 Article – Transportation  
11 Section 21–1103(a)  
12 Annotated Code of Maryland  
13 (2020 Replacement Volume and 2023 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Transportation  
16 Section 21–1103(b) and 21–1202(b)  
17 Annotated Code of Maryland  
18 (2020 Replacement Volume and 2023 Supplement)

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

### Article – Transportation

22 21–1103.

23 (a) Except as provided in subsection (b), (c), or (d) of this section, a person may  
24 not drive any vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.

**\*hb0111\***

1 temporary driveway.

2 (b) (1) For the purposes of this subsection, “bicycle” does not include “moped”,  
3 **“ELECTRIC BICYCLE”, NOR “ELECTRIC LOW SPEED SCOOTER”,**  
4 as defined in § 11–134[.1] of this article.

4 (2) [Where allowed] **UNLESS PROHIBITED** by local ordinance, a person  
5 may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area.

5 **(3) WHERE ALLOWED BY LOCAL ORDINANCE, A PERSON**  
6 **MAY RIDE AN ELECTRIC BICYCLE OR ELECTRIC LOW SPEED SCOOTER ON A**  
7 **SIDEWALK OR SIDEWALK AREA.**

6

7 ([3]4) In a place where a person may ride a bicycle on a sidewalk or sidewalk  
8 area, a person may also ride a bicycle, **ELECTRIC BICYCLE, OR ELECTRIC LOW SPEED**  
9 **SCOOTER** from the curb or edge of the roadway in or through a  
10 crosswalk to the opposite curb or edge of the roadway.

10 21–1202.

11 (b) (1) Subject to paragraphs (2) [and], (3), **AND (4)** of this subsection, a  
12 person has the rights and is subject to the restrictions applicable to pedestrians under this  
13 title while the person is lawfully operating a bicycle, **ELECTRIC BICYCLE, ELECTRIC LOW**  
14 **SPEED SCOOTER**, play vehicle, or unicycle:

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

15 (ii) In or through a crosswalk.

16 (2) At an intersection, a person operating a bicycle, **ELECTRIC BICYCLE,**  
17 **ELECTRIC LOW SPEED SCOOTER**, play vehicle, or unicycle  
18 is subject to all traffic control signals, as provided in §§ 21–202 and 21–203 of this title.

18 **(3) A PERSON OPERATING A BICYCLE, ELECTRIC BICYCLE, ELECTRIC**  
19 **LOW SPEED SCOOTER, PLAY VEHICLE, OR UNICYCLE**  
20 **ON A SIDEWALK OR SIDEWALK AREA OR IN OR THROUGH A CROSSWALK SHALL YIELD**  
21 **THE RIGHT-OF-WAY TO A PEDESTRIAN OR A PERSON RIDING ON AN ELECTRIC**  
22 **PERSONAL ASSISTIVE MOBILITY DEVICE.**

22 **[(3)] (4)** Section 21–506 of this title does not apply to a person operating  
23 a bicycle, **ELECTRIC BICYCLE, ELECTRIC LOW SPEED SCOOTER**, play vehicle, or unicycle.

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