

SENATE BILL 315

R5

4r1960
CF HB 337

By: **Senator Kelly**

Introduced and read first time: January 11, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2024

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Bike Lanes and Shoulders – Yielding Right-of-Way**
3 **(Sarah Debbink Langenkamp Memorial Act)**

4 FOR the purpose of prohibiting a person from committing a violation ~~that contributes to a~~
5 ~~crash~~ of a certain provision of law governing the right-of-way of a bicycle, a motor
6 scooter, or an electronic personal assistive mobility device lawfully in a designated
7 bike lane or shoulder that contributes to the serious physical injury or death of a
8 person riding a bicycle, EPAMD, or motor scooter; and generally relating to yielding
9 the right-of-way in a bike lane or shoulder.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 21–1209
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2023 Supplement)

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

17 **Article – Transportation**

18 21–1209.

19 (a) Notwithstanding any other provision of this title, the driver of a vehicle shall:

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 (1) Exercise due care to avoid colliding with any bicycle, EPAMD, or motor
2 scooter being ridden by a person; and

3 (2) When overtaking a bicycle, an EPAMD, or a motor scooter, pass safely
4 at a distance of not less than 3 feet, unless, at the time:

5 (i) The bicycle, EPAMD, or motor scooter rider fails to operate the
6 vehicle in conformance with § 21–1205(a) of this subtitle (“Riding to right side of roadway”)
7 or § 21–1205.1(b) of this subtitle (“Roadway with bike lane or shoulder paved to smooth
8 surface”);

9 (ii) A passing clearance of less than 3 feet is caused solely by the
10 bicycle, EPAMD, or motor scooter rider failing to maintain a steady course; or

11 (iii) The highway on which the vehicle is being driven is not wide
12 enough to lawfully pass the bicycle, EPAMD, or motor scooter at a distance of at least 3
13 feet.

14 (b) A person may not throw any object at or in the direction of any person riding
15 a bicycle, an EPAMD, or a motor scooter.

16 (c) A person may not open the door of any motor vehicle with intent to strike,
17 injure, or interfere with any person riding a bicycle, an EPAMD, or a motor scooter.

18 (d) (1) Unless otherwise specified in this title, the driver of a vehicle shall yield
19 the right-of-way to a person who is lawfully riding a bicycle, an EPAMD, or a motor scooter
20 in a designated bike lane or shoulder if the driver of the vehicle is about to enter or cross
21 the designated bike lane or shoulder.

22 (2) (i) **A PERSON MAY NOT COMMIT A VIOLATION OF PARAGRAPH**
23 **(1) OF THIS SUBSECTION THAT CONTRIBUTES TO ~~A CRASH~~ THE SERIOUS PHYSICAL**
24 **INJURY OR DEATH OF A PERSON RIDING A BICYCLE, EPAMD, OR MOTOR SCOOTER.**

25 (ii) **A PERSON CONVICTED OF A VIOLATION OF SUBPARAGRAPH**
26 **(I) OF THIS PARAGRAPH IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 MONTHS**
27 **OR A FINE NOT EXCEEDING \$2,000 OR BOTH.**

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