

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 42

(Senator Kelly)

Judicial Proceedings

Environment and Transportation

Vehicle Laws - Horse Riding - Helmet Requirement for Minors

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 (ASTM) for protective headgear used in equestrian riding.

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.

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 whose primary purpose is equestrian activities and that solicits or offers to the public recreational, educational, therapeutic, or competitive equestrian activities.

However, the bill's requirements do not apply to a minor who is (1) crossing a public highway that separates privately owned land; (2) engaged in an agricultural practice or pursuit; (3) a member of an Amish or a Mennonite community; or (4) receiving therapy services from a licensed medical provider and for whom the use of an alternative helmet is necessary, appropriate, and in compliance with the Professional Association of Therapeutic Horsemanship International's Guidelines for Alternative Helmet Use.

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 law imposes 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 ASTM 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.

Exhibit 1
Patients that Sustained Injuries Due to Falls from Horses*
Fiscal 2018-2023

<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
2023	24	84	108

* Patients treated at Maryland designated trauma centers only.

Source: Maryland State Trauma Registry

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 20 of 2023 and HB 13 of 2022.

Designated Cross File: HB 113 (Delegate Lehman, *et al.*) - Environment and Transportation.

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 11, 2024
js/ljm Third Reader - April 2, 2024
Revised - Amendment(s) - April 2, 2024

Analysis by: Richard L. Duncan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510