

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 77

(Senator Waldstreicher)

Judicial Proceedings

Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements

This bill authorizes a person to ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area *unless prohibited by* local ordinance. (Under current law, a person may ride these vehicles on sidewalks or sidewalk areas only *where allowed by* local ordinance.) When riding a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or through a crosswalk, a person must yield the right-of-way to a pedestrian or an individual riding on an electric personal assistive mobility device (EPAMD).

Fiscal Summary

State Effect: Potential minimal decrease in general fund revenues to the extent fewer citations are issued as a result of the bill. Enforcement can be handled with existing resources.

Local Effect: Local governments can review and update local ordinances as needed and otherwise handle enforcement with existing resources. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law:

Definitions

For purposes of the Maryland Vehicle Law, “bicycle” means a vehicle that (1) is designed to be operated by human power; (2) has two or three wheels, with one being more than 14 inches in diameter; and (3) has a drive mechanism other than pedals directly attached to

a drive wheel. In general, the term includes an electric bicycle, a moped, and an electric low-speed scooter. However, a moped is not considered a bicycle with respect to provisions of the vehicle law relating to driving on sidewalks.

“Play vehicle” means a vehicle that has two or more wheels, is propelled only by human power, and is not a bicycle or a wheelchair. A “unicycle” is not defined for purposes of the vehicle law.

“EPAMD” means a pedestrian device that (1) has two nontandem wheels; (2) is self-balancing; (3) is powered by an electric propulsion system; (4) has a maximum speed capability of 15 miles per hour; and (5) is designed to transport one person.

Driving on Sidewalks

Subject to specified exceptions, a person may not drive a vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary driveway. *Where allowed by local ordinance*, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area. In a place where a person may ride a bicycle on a sidewalk or sidewalk area, a person may also ride a bicycle from the curb or edge of the roadway in or through a crosswalk to the opposite curb or edge of the roadway.

A violation of the above restrictions is a misdemeanor subject to a maximum fine of \$500. The prepayment penalty established by the District Court is \$70, and the Motor Vehicle Administration (MVA) must assess one point against the driver’s license. If the violation contributes to an accident, the prepayment penalty is \$110, and MVA must assess three points against the driver’s license.

A person who is lawfully operating a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or through a crosswalk generally has the rights and restrictions applicable to pedestrians under the vehicle law. At an intersection, a person operating a bicycle, play vehicle, or unicycle is subject to all traffic control signals, as specified.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 519 of 2023 and HB 1153 of 2022.

Cross File: HB 111 (Delegate D. Jones) - Environment and Transportation.

Information Source(s): Anne Arundel, Charles, Dorchester, Garrett, and Howard counties; cities of Greenbelt and Laurel; Judiciary (Administrative Office of the Courts);

Department of State Police; Maryland Department of Transportation; Department of
Legislative Services

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