

HOUSE BILL 115

Unofficial Copy  
R7

1999 Regular Session  
(9r0986)

ENROLLED BILL

-- Commerce and Government Matters/Judicial Proceedings --

Introduced by **Calvert County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Vehicle Law - ~~Definition of Highway~~ - Calvert County -**  
3 **Enforcement on Private Roadways**

4 FOR the purpose of ~~modifying the definition of "highway" for purposes of the~~  
5 ~~Maryland Vehicle Law to include in Calvert County certain private roadways~~  
6 ~~within residential subdivisions or communities, regardless of whether the~~  
7 ~~roadway is available for use by the public~~ authorizing certain police officers to  
8 enforce the provisions of the Maryland Vehicle Law on private roadways in  
9 Calvert County that are located within a residential subdivision or community  
10 and used for vehicular travel by residents of the subdivision or community; and  
11 generally relating to enforcement of the Maryland Vehicle Law in Calvert County.

12 BY repealing and reenacting, ~~with~~ without amendments,  
13 Article - Transportation  
14 Section ~~11-127~~ 11-147  
15 Annotated Code of Maryland  
16 (1998 Replacement Volume and 1998 Supplement)

1 BY repealing and reenacting, ~~without~~ *with* amendments,  
 2 Article - Transportation  
 3 Section ~~21-101.1(b)(1)~~ *11-205*  
 4 Annotated Code of Maryland  
 5 (1998 Replacement Volume and 1998 Supplement)

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

8 **Article - Transportation**

9 ~~11-127.~~

10 (A) ~~["Highway"] SUBJECT TO SUBSECTION (B) OF THIS SECTION, "HIGHWAY"~~  
 11 ~~means the entire width between the boundary lines of any way or thoroughfare of~~  
 12 ~~which any part is used by the public for vehicular travel, whether or not the way or~~  
 13 ~~thoroughfare has been dedicated to the public and accepted by any proper authority.~~

14 (B) ~~IN CALVERT COUNTY, "HIGHWAY" INCLUDES A PRIVATE ROADWAY~~  
 15 ~~LOCATED WITHIN A RESIDENTIAL SUBDIVISION OR COMMUNITY FOR VEHICULAR~~  
 16 ~~TRAVEL BY RESIDENTS OF THE SUBDIVISION OR COMMUNITY, WHETHER OR NOT~~  
 17 ~~THE ROADWAY IS AVAILABLE FOR USE BY THE PUBLIC.~~

18 ~~21-101.1.~~

19 (b) (1) ~~A person may not drive a motor vehicle in violation of any provision of~~  
 20 ~~this title on any private property that is used by the public in general, or, in Calvert~~  
 21 ~~County, on any private road located within a residential subdivision or community.~~

22 ~~11-147.~~

23 ~~*"Police officer" means an officer authorized to direct or regulate traffic or to make*~~  
 24 ~~*arrests for violations of any of the provisions of the Maryland Vehicle Law or of local or*~~  
 25 ~~*other traffic laws or regulations.*~~

26 ~~11-205.~~

27 (a) ~~*Except as otherwise specifically provided in the Maryland Vehicle Law:*~~

28 (1) ~~*The provisions of the Maryland Vehicle Law do not in any way add to*~~  
 29 ~~*or detract from the right of any person who is injured or whose property is damaged by*~~  
 30 ~~*the negligent operation of a motor vehicle to sue and recover damages as in the case of*~~  
 31 ~~*the negligent use or operation of any other vehicle; and*~~

32 (2) ~~*The violation of any provision of the Maryland Vehicle Law does not*~~  
 33 ~~*give any right of action to any person who would not be entitled to it in the absence of*~~  
 34 ~~*the provision.*~~

1       **(b)**       The provisions of the Maryland Vehicle Law do not prevent the owner of any  
2 real property that is used, with permission of the owner and not as a matter of right, by  
3 the public for vehicular travel from:

4               **(1)**       Prohibiting the use;

5               **(2)**       Requiring the use to be subject to conditions other than those specified  
6 in the Maryland Vehicle Law; or

7               **(3)**       Otherwise regulating the use in his discretion.

8       **(C)**       IN CALVERT COUNTY, A POLICE OFFICER MAY ENFORCE THE PROVISIONS  
9 OF THE MARYLAND VEHICLE LAW ON A PRIVATE ROADWAY IN CALVERT COUNTY  
10 THAT IS LOCATED WITHIN A RESIDENTIAL SUBDIVISION OR COMMUNITY AND USED  
11 FOR VEHICULAR TRAVEL BY RESIDENTS OF THE SUBDIVISION OR COMMUNITY.

12       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 1999.