
By: **Delegates Malone, Benson, Brinkley, DeCarlo, Dobson, Glassman,
Paige, Parrott, Riley, Shank, Snodgrass, Sophocleus, and Zirkin**

Introduced and read first time: February 7, 2002

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Electronic Personal Assistive Mobility Devices**

3 FOR the purpose of establishing that footpaths and bicycle trails may be used by
4 electronic personal assistive mobility devices (EPAMDs); altering the definition
5 of "vehicle" to specify that it does not include an EPAMD; establishing that at
6 an intersection, a person using an EPAMD is subject to certain traffic control
7 signals, but that at all other places has the rights and is subject to the
8 restrictions applicable to pedestrians under specified provisions of law;
9 establishing that a person may not operate an EPAMD on any roadway where
10 the posted maximum speed limit is greater than a certain speed; establishing
11 that an EPAMD may not be operated in excess of a certain speed; making
12 certain provisions of law currently applicable to bicycles and motor scooters also
13 applicable to EPAMDs; defining certain terms; and generally relating to
14 electronic personal assistive mobility devices.

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 8-409(e)
18 Annotated Code of Maryland
19 (2001 Replacement Volume)

20 BY repealing and reenacting, with amendments,
21 Article - Transportation
22 Section 11-176, 21-1201, 21-1206, 21-1208, 21-1209, and 21-1210
23 Annotated Code of Maryland
24 (1999 Replacement Volume and 2001 Supplement)

25 BY adding to
26 Article - Transportation
27 Section 21-101(g-1), 21-501.1, and 21-1205.1(d) and (e)
28 Annotated Code of Maryland
29 (1999 Replacement Volume and 2001 Supplement)

1 BY repealing and reenacting, without amendments,
2 Article - Transportation
3 Section 21-501
4 Annotated Code of Maryland
5 (1999 Replacement Volume and 2001 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 8-409.

10 (e) Unless the Administration or local government specifically approves other
11 uses, as provided in subsection (g) of this section, footpaths and bicycle trails may be
12 used only by pedestrians, [and] nonmotorized vehicles, AND ELECTRIC PERSONAL
13 ASSISTIVE MOBILITY DEVICES AS DEFINED IN § 21-101(G-1) OF THIS ARTICLE.

14 11-176.

15 (A) "Vehicle" means, EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS
16 SECTION, any device in, on, or by which any individual or property is or might be
17 transported or towed on a highway.

18 (B) "VEHICLE" DOES NOT INCLUDE AN ELECTRIC PERSONAL ASSISTIVE
19 MOBILITY DEVICE AS DEFINED IN § 21-101(G-1) OF THIS ARTICLE.

20 21-101.

21 (G-1) "ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE" OR "EPAMD" MEANS A
22 PEDESTRIAN DEVICE THAT:

- 23 (1) HAS TWO NONTANDEM WHEELS;
- 24 (2) IS SELF-BALANCING;
- 25 (3) IS POWERED BY AN ELECTRIC PROPULSION SYSTEM;
- 26 (4) HAS A MAXIMUM SPEED CAPABILITY OF 15 MILES PER HOUR; AND
- 27 (5) IS DESIGNED TO TRANSPORT ONE PERSON.

28 21-501.

29 At an intersection, a pedestrian is subject to all traffic control signals, as
30 provided in §§ 21-202 and 21-203 of this title. However, at any other place, a
31 pedestrian has the rights and is subject to the restrictions stated in this title.

1 21-501.1.

2 AT AN INTERSECTION, A PERSON USING AN EPAMD IS SUBJECT TO ALL TRAFFIC
3 CONTROL SIGNALS, AS PROVIDED IN §§ 21-202 AND 21-203 OF THIS TITLE. HOWEVER,
4 AT ANY OTHER PLACE, A PERSON USING AN EPAMD HAS THE RIGHTS AND IS SUBJECT
5 TO THE RESTRICTIONS APPLICABLE TO PEDESTRIANS UNDER THIS TITLE.

6 21-1201.

7 (a) The parent of any minor or the guardian of any ward may not authorize
8 the minor or ward to violate any provision of this subtitle.

9 (b) The parent of any minor or the guardian of any ward may not knowingly
10 permit the minor or ward to violate any provision of this subtitle.

11 (c) With the exceptions stated in this subtitle, the provisions of this subtitle
12 that are applicable to bicycles apply whenever a bicycle, AN EPAMD, or a motor scooter
13 is operated on any highway or whenever a bicycle OR AN EPAMD is operated on any
14 path set aside for the exclusive use of bicycles.

15 21-1205.1.

16 (D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A PERSON
17 MAY NOT OPERATE AN EPAMD ON ANY ROADWAY WHERE THE POSTED MAXIMUM
18 SPEED LIMIT IS MORE THAN 30 MILES AN HOUR.

19 (E) AN EPAMD MAY NOT BE OPERATED AT A SPEED IN EXCESS OF 15 MILES
20 PER HOUR.

21 21-1206.

22 (a) A person may not operate a bicycle, AN EPAMD, or a motor scooter while
23 carrying any package, bundle, or other article that prevents the person from keeping
24 both hands on the handlebars.

25 (b) A person may not carry on a bicycle, AN EPAMD, or a motor scooter any
26 package, bundle, or other article that interferes with the view or balance of the
27 operator.

28 (c) A person may not remove, ride on, or tamper with any part of a bicycle, AN
29 EPAMD, or a motor scooter without the permission of its owner.

30 21-1208.

31 (a) A person may not secure a bicycle, AN EPAMD, or a motor scooter to a fire
32 hydrant, police or fire call box, or traffic control device.

33 (b) A person may not secure a bicycle, AN EPAMD, or a motor scooter to a pole,
34 meter, or device located within a bus or taxi-loading zone.

1 (c) A person may not secure a bicycle, AN EPAMD, or a motor scooter to a pole,
2 meter, or device located within 25 feet of any intersection.

3 (d) A person may not secure a bicycle, AN EPAMD, or a motor scooter to a pole,
4 meter, or device on which notice has been posted by the appropriate authorities
5 forbidding the securing of bicycles.

6 (e) A person may not secure a bicycle, AN EPAMD, or a motor scooter to any
7 place where the securing of a bicycle or a motor scooter would obstruct or impede
8 vehicular traffic or pedestrian movement.

9 (f) A bicycle, AN EPAMD, or a motor scooter may be secured to a parking meter,
10 without payment of the usual fees, if [the bicycle] IT is entirely removed from the bed
11 of the street normally used for vehicular parking.

12 21-1209.

13 (a) Notwithstanding any other provision of this title, the driver of a vehicle
14 shall exercise due care to avoid colliding with any bicycle, EPAMD, or motor scooter
15 being ridden by a person.

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

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

20 21-1210.

21 (a) A person may not operate a bicycle, AN EPAMD, or a motor scooter on any
22 highway, or on any roadway, while the person is wearing any headset covering both
23 ears.

24 (b) A person may not operate a bicycle, AN EPAMD, or a motor scooter on any
25 highway, or on any roadway, while the person is wearing any earplugs in both ears.

26 (c) The provisions of this section do not apply to:

27 (1) Any person wearing personal hearing protectors in the form of
28 custom earplugs or molds that are designed to attenuate injurious noise levels, if the
29 custom plugs or molds are designed in such a manner as to not inhibit the wearer's
30 ability to hear a siren or horn from an emergency vehicle or a horn from another
31 vehicle;

32 (2) Any person wearing a prosthetic device used to aid the hard of
33 hearing; or

34 (3) Any person operating a bicycle on a public bicycle pathway expressly
35 authorized for the use of persons operating bicycles.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2002.