

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1372 (Delegate McComas)
Environmental Matters

Motor Vehicles - Operation on Sidewalks and Public Land

This bill provides that, where permitted by local ordinance, a person may ride an electronic personal assistive mobility device (EPAMD) or nonmotorized unicycle on a sidewalk or sidewalk area. However, a person may not operate a motor vehicle on any public land unless it is a highway. A person may operate an off-road vehicle on public land that is not a highway if authorized by Department of Natural Resources (DNR) regulations. The bill is not to be construed to authorize the operation of a motor vehicle on a highway that is otherwise prohibited.

Fiscal Summary

State Effect: The bill's requirements could be enforced with existing resources.

Local Effect: The bill's requirements could be enforced with existing resources.

Small Business Effect: None.

Analysis

Current Law: Except as otherwise provided, a person is prohibited from driving any vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary driveway. Where permitted by local ordinance, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area.

Unless prohibited by local ordinance, an individual with a disability may use a wheelchair or a special vehicle other than a wheelchair on sidewalks or sidewalk areas.

However, a person using an EPAMD or wheelchair is subject to all traffic control signals. At any other place, a person using an EPAMD or wheelchair is subject to the rights and restrictions applicable to pedestrians.

A “motor vehicle” is a vehicle that is self-propelled or propelled by electric power obtained from overhead wires and is not operated on rails. A motor vehicle does not include a moped or a motor scooter. An “EPAMD” is a pedestrian device that has two nontandem wheels, is self-balancing, is powered by an electric propulsion system, and is designed to transport one person at a maximum speed of 15 miles per hour.

An “off-road vehicle” is a motorized vehicle that is capable of cross-country travel on land, water, snow, ice, marsh, swampland, or other natural terrain. Included are four-wheel drive or low-pressure tire vehicles, automobiles, trucks, related two-wheel vehicles, amphibious machines, ground-effect or air-cushion vehicles, snowmobiles, boats, farm tractors, construction equipment, lawn mowers, snowblowers, garden or lawn tractors, and golf carts.

The Secretary of Natural Resources is required to promulgate regulations regarding equipment standards and the operation of off-road vehicles on property owned or controlled by DNR. The Secretary is required to designate and identify areas of general public use for the operation of motorcycles, snowmobiles, and other off-road vehicles on DNR-controlled property that is exclusive of wildlife management or State fisheries management areas, to the extent that the use of off-road vehicles is compatible with the property.

Every off-road vehicle to be used on DNR lands must be registered and provided suitable identification by DNR. A uniform fee must be charged and revenues allocated to the acquisition and maintenance of public areas for off-road vehicle use. Off-road vehicle use is prohibited where the operation will damage the wildland character of the property or where noise will be audible at or interfere with the use of picnic and camping areas.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources, Maryland Department of Transportation, Department of Legislative Services

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ncs/jr

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