

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 846

(Senators Giannetti and Lawlah)

Judicial Proceedings

Environmental Matters

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**Vehicle Laws - Bicycles and Motor Scooters - Operation and Equipment**

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This bill alters equipment requirements for bicycles and motor scooters. The bill authorizes a bicycle to be equipped with a functioning lamp that acts as a reflector instead of, or in addition to, the currently required red reflector. A person may operate a bicycle or motor scooter that is equipped with a bell or other device, except for a siren or whistle, which gives an audible signal for at least 100 feet, but the current law requirement to have an audible device is repealed. Every bicycle or motor scooter must be equipped with a braking system capable of stopping from a speed of 10 miles per hour within 15 feet on dry, level, clean pavement.

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**Fiscal Summary**

**State Effect:** Potential minimal reduction in general fund revenues due to alteration of equipment requirements. No effect on expenditures as enforcement could be handled with existing resources.

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

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A "bicycle" is a vehicle that is designed to be operated by human power and has two or three wheels, one of which is more than 14 inches in diameter. A bicycle has a rear drive, and if the vehicle has two wheels, they are in tandem. If the bicycle has

three wheels, one wheel is in front and the two rear wheels are equidistant from the center of the vehicle.

A “motor scooter” is a nonpedal vehicle that has an operator’s seat and two wheels, one of which is 10 inches or more in diameter. A motor scooter has a step-through chassis, a motor with a maximum rating of 2.7 horsepower or a maximum capacity of 50 cc piston displacement, and an automatic transmission. A motor scooter does not include an off-road vehicle, a motorcycle, or an all-terrain vehicle.

If a bicycle or motor scooter is used on a highway where conditions obscure visibility for a distance of 1,000 feet, the bicycle or motor scooter must be equipped with a lamp on the front that emits a white light visible for at least 500 feet and a rear red reflector as approved by the Motor Vehicle Administration and specified in statute. A bicycle or bicyclist may be equipped with a lamp that emits a red light or flashing amber light visible from 500 feet to the rear in addition to the red reflector required by statute.

A person may not operate a bicycle or motor scooter unless it is equipped with a bell or device capable of giving an audible signal for at least 100 feet, but the device may not be a siren or whistle. Every bike and motor scooter must be equipped with a brake that enables its operator to make the braked wheels skid on dry, level, clean pavement. A violation of any of the above-mentioned provisions is a misdemeanor and is subject to a maximum fine of \$500. If the fine is uncontested, the District Court penalty is \$40.

**Background:** According to bicycle safety advocates, using a bell in an emergency can be dangerous because it requires cyclists to take their hands off the brakes or handlebars. Bells are also ineffective – generally, a voice is louder and more easily understood. The brake requirements in the bill are modeled on the Uniform Vehicle Code standard. Finally, a rear flashing light is safer than a reflector.

**State Revenues:** Because the bill generally eases equipment requirements for bicyclists and motor scooter riders, general fund revenues collected by the District Court could potentially be minimally reduced as fewer citations could be issued under the provisions of this bill, assuming that enforcement efforts remain constant.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 943 (Delegate Cardin, *et al.*) – Environmental Matters.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Maryland  
Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2006  
mll/ljm Revised - Enrolled Bill - April 24, 2006

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