

SENATE BILL 984

R5

EMERGENCY BILL

71r3315
CF HB 1356

By: **Senator Edwards**

Introduced and read first time: March 1, 2007

Assigned to: Rules

Re-referred to: Judicial Proceedings, March 2, 2007

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 2007

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Approval**

3 FOR the purpose of authorizing motor vehicle racing on a highway under the
4 jurisdiction of the State Highway Administration or a local authority if the
5 State Highway Administration or local authority approves the racing event,
6 subject to certain conditions; authorizing the approval of a motor vehicle or
7 bicycle racing event only if the sponsors of the event indemnify the State and
8 local governments against certain loss and provide certain liability insurance,
9 the county or other local jurisdiction in which the event is held provides written
10 authorization for the event, and the highway on which the event is held is
11 closed in a certain manner; authorizing the State Highway Administration or a
12 local authority to exempt participants in an approved motor vehicle racing event
13 from certain provisions of law; making this Act an emergency measure;
14 providing for the termination of this Act; and generally relating to approval of
15 motor vehicle and bicycle racing events.

16 BY repealing and reenacting, without amendments,
17 Article – Transportation
18 Section 21–1116
19 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2006 Replacement Volume and 2006 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – Transportation
4 Section 21–1211
5 Annotated Code of Maryland
6 (2006 Replacement Volume and 2006 Supplement)

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

9 **Article – Transportation**

10 21–1116.

11 (a) Except as provided in § 21–1211 of this title, on any highway or on any
12 private property that is used by the public in general, a person may not drive a vehicle
13 in a race or speed contest, whether or not on a wager or for a prize or reward.

14 (b) Except as provided in § 21–1211 of this title, a person may not participate
15 as a timekeeper or flagman in any race or speed contest specified in subsection (a) of
16 this section.

17 21–1211.

18 (a) When the State Highway Administration or a local authority approves a
19 **MOTOR VEHICLE OR** bicycle racing event on a highway or a highway bridge under its
20 respective jurisdiction, **MOTOR VEHICLE OR** bicycle racing shall be lawful.

21 (b) The State Highway Administration or a local authority may approve a
22 **MOTOR VEHICLE OR** bicycle racing event only **IF:**

23 **(1) THE RACING EVENT IS HELD** under conditions that:

24 [(1)] **(I)** Provide reasonable safety for race participants, spectators,
25 and other highway or highway bridge users; and

26 [(2)] **(II)** Prevent unreasonable interference with traffic flow that
27 would seriously inconvenience other highway or highway bridge users;

28 **(2) THE SPONSORS OF THE RACING EVENT:**

1 **(I) INDEMNIFY THE STATE AND LOCAL GOVERNMENTS**
2 **FROM ANY LOSS ARISING OUT OF OR RELATING TO THE RACING EVENT; AND**

3 **(II) PROVIDE COMPREHENSIVE LIABILITY INSURANCE, IN**
4 **AN AMOUNT TO BE DETERMINED BY THE STATE HIGHWAY ADMINISTRATION OR**
5 **LOCAL AUTHORITY WITH JURISDICTION OVER THE HIGHWAY ON WHICH THE**
6 **RACING EVENT IS TO BE HELD, FOR THE BENEFIT OF THE STATE AND LOCAL**
7 **GOVERNMENTS, SPECTATORS, AND OTHER HIGHWAY OR HIGHWAY BRIDGE**
8 **USERS;**

9 **(3) THE COUNTY OR OTHER LOCAL JURISDICTION IN WHICH THE**
10 **RACING EVENT IS HELD PROVIDES WRITTEN AUTHORIZATION FOR THE RACING**
11 **EVENT; AND**

12 **(4) THE HIGHWAY ON WHICH THE RACING EVENT IS HELD IS**
13 **CLOSED, IN A MANNER APPROVED BY THE STATE HIGHWAY ADMINISTRATION**
14 **OR LOCAL AUTHORITY WITH JURISDICTION OVER THE HIGHWAY, WITH**
15 **APPROPRIATE ACCESS MEASURES IN PLACE.**

16 (c) If traffic control adequately assures the safety of participants, spectators,
17 and other highway or highway bridge users, the State Highway Administration or a
18 local authority may exempt participants in an approved **MOTOR VEHICLE OR** bicycle
19 racing event from compliance with other provisions of the Maryland Vehicle Law that
20 otherwise would be applicable to the participants in the **MOTOR VEHICLE OR** bicycle
21 racing event.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
23 measure, is necessary for the immediate preservation of the public health or safety,
24 has been passed by a yea and nay vote supported by three-fifths of all the members
25 elected to each of the two Houses of the General Assembly, and shall take effect from
26 the date it is enacted. It shall remain effective through September 30, 2009, and at
27 the end of September 30, 2009, with no further action required by the General
28 Assembly, this Act shall be abrogated and of no further force and effect.