

SENATE BILL 28

R5

(8lr0947)

ENROLLED BILL

—Judicial Proceedings / Environmental Matters—

Introduced by **Senator Forehand**

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.

President.

CHAPTER _____

1 AN ACT concerning

2 **All-Terrain Vehicles — Protective Headgear Vehicle Safety Task Force**

3 FOR the purpose of ~~prohibiting an individual under a certain age from operating or~~
4 ~~riding on an all-terrain vehicle unless the individual is wearing protective~~
5 ~~headgear that meets certain standards; defining a certain term; and generally~~
6 ~~relating to required equipment for individuals operating or riding on all-terrain~~
7 ~~vehicles~~ establishing an All-Terrain Vehicle Safety Task Force; providing for
8 the membership and duties of the Task Force; requiring the Task Force to select
9 a chair from among its members; providing for the staffing of the Task Force;
10 prohibiting a member of the Task Force from receiving certain compensation;
11 requiring the Task Force to report to the Governor and the General Assembly
12 by certain dates; providing for the termination of this Act; and generally
13 relating to the establishment of an All-Terrain Vehicle Safety Task Force.

14 ~~BY adding to~~

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.

Italics indicate opposite chamber / conference committee amendments.



1 ~~Article—Transportation~~
 2 ~~Section 21-1207.3~~
 3 ~~Annotated Code of Maryland~~
 4 ~~(2006 Replacement Volume and 2007 Supplement)~~

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

7 ~~Article—Transportation~~

8 ~~21-1207.3.~~

9 ~~(A) IN THIS SECTION, “ALL TERRAIN VEHICLE” MEANS A MOTOR~~
 10 ~~VEHICLE THAT:~~

11 ~~(1) IS DESIGNED TO TRAVEL OFF-HIGHWAY;~~

12 ~~(2) IS DESIGNED TO TRAVEL ON THREE OR FOUR LOW PRESSURE~~
 13 ~~TIRES;~~

14 ~~(3) HAS A SEAT DESIGNED TO BE STRADDLED BY THE OPERATOR;~~
 15 ~~AND~~

16 ~~(4) HAS HANDLEBARS FOR STEERING CONTROL.~~

17 ~~(B) AN INDIVIDUAL UNDER THE AGE OF 16 YEARS MAY NOT OPERATE~~
 18 ~~OR RIDE ON AN ALL TERRAIN VEHICLE UNLESS THE INDIVIDUAL IS WEARING~~
 19 ~~PROTECTIVE HEADGEAR THAT MEETS THE STANDARDS ESTABLISHED BY THE~~
 20 ~~ADMINISTRATOR FOR MOTORCYCLE HELMETS UNDER § 21-1306 OF THIS TITLE.~~

21 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
 22 ~~October 1, 2008.~~

23 (a) There is an All-Terrain Vehicle (ATV) Safety Task Force.

24 (b) The Task Force shall consist of the following members:

25 (1) the Secretary of Natural Resources, or the Secretary’s designee;

26 (2) the Secretary of Transportation, or the Secretary’s designee;

27 (3) the Executive Director of ABATE of Maryland, Inc., or the Executive
 28 Director’s designee;

1 ~~(3)~~ (4) one representative of the Office of Injury Prevention of the
 2 Department of Health and Mental Hygiene, appointed by the Secretary of Health and
 3 Mental Hygiene; and

4 (5) one representative of the Maryland Legislative Sportsmen's
 5 Foundation, appointed by the Board of Directors of the Foundation; and

6 ~~(4)~~ (6) the following members, appointed by the ~~Executive Director of~~
 7 ~~the Maryland Institute for Emergency Medical Services Systems~~ Governor:

8 (i) one representative of TraumaNet;

9 (ii) one representative of the Maryland Chapter of the American
 10 College of Emergency Physicians;

11 (iii) one representative of the Maryland Chapter of the American
 12 Academy of Pediatrics;

13 (iv) one representative of the Maryland Chapter of the American
 14 Trauma Society;

15 (v) one representative of the Maryland Emergency Nurses
 16 Association;

17 (vi) one representative of Johns Hopkins School of Public
 18 Health;

19 (vii) one representative of Children's National Medical Center;

20 (viii) one member representing the interests of ATV dealers;

21 (ix) one member representing the interests of private ATV
 22 recreational parks;

23 (x) one member representing the interests of providers of
 24 property, casualty, and health insurance in the State;

25 (xi) one representative of the ATV Safety Institute;

26 (xii) one representative of the Specialty Vehicle Institute of
 27 America;

28 (xiii) one representative of the Maryland Institute for Emergency
 29 Medical Services Systems;

30 (xiv) one representative of the Maryland State Firemen's
 31 Association; and ~~and~~

1 (xv) one representative of a Maryland ATV club from each of the
2 following regions:

- 3 1. western Maryland;
4 2. southern Maryland;
5 3. the eastern shore of Maryland; and
6 4. central Maryland; and

7 ~~(xvi) the Executive Director of ABATE of Maryland, Inc., or the~~
8 ~~Executive Director's designee.~~

9 (c) From among its members, the Task Force shall select a chair of the Task
10 Force.

11 (d) The Maryland Institute for Emergency Medical Services Systems shall
12 provide staff for the Task Force.

13 (e) A member of the Task Force may not receive compensation as a member
14 of the Task Force.

15 (f) The Task Force shall identify and study major issues related to ATV
16 safety and shall make findings and recommendations regarding:

- 17 (1) accurate methods of tracking ATV ownership in the State;
18 (2) appropriate safety equipment;
19 (3) effective methods of educating consumers;
20 (4) appropriate locations for ATV use;
21 (5) training for ATV owners;
22 (6) public awareness of ATV safety-related topics; and
23 (7) any other topic related to ATV safety deemed appropriate by the
24 Task Force.

25 (g) The Task Force shall report its findings and recommendations to the
26 Governor and, subject to § 2-1246 of the State Government Article, to the General
27 Assembly, in an interim report, on or before December 15, 2008, and in a final report,
28 on or before May 31, 2009.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 June 1, 2008. It shall remain effective for a period of 1 year and, at the end of May 31,
3 2009, with no further action required by the General Assembly, this Act shall be
4 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.