

HOUSE BILL 25

R5

(PRE-FILED)

9lr0638
CF SB 18

By: **Delegate Olszewski**

Requested: September 17, 2008

Introduced and read first time: January 14, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Motor Scooters - Prohibited Roads for Operation**

3 FOR the purpose of altering the posted maximum speed limit for a roadway above
4 which a person is prohibited from operating a motor scooter on the roadway;
5 making certain stylistic changes; and generally relating to the operation of
6 motor scooters on roadways.

7 BY repealing and reenacting, with amendments,
8 Article - Transportation
9 Section 21-1205.1
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2008 Supplement)

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

14 **Article - Transportation**

15 21-1205.1.

16 (a) **(1)** Notwithstanding any other provision of this title, a person may not
17 ride a bicycle [or a motor scooter:

18 (1) On any] **ON:**

19 **(1)** A roadway where the posted maximum speed limit is more
20 than 50 miles an hour; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(2)] (II) [On any] **AN** expressway, except on an adjacent bicycle path
2 or way approved by the State Highway Administration, or on any other controlled
3 access highway signed in accordance with § 21–313 of this title.

4 **(2) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS**
5 **TITLE, A PERSON MAY NOT OPERATE A MOTOR SCOOTER ON:**

6 **1. A ROADWAY WHERE THE POSTED MAXIMUM**
7 **SPEED LIMIT IS MORE THAN 30 MILES AN HOUR; OR**

8 **2. AN EXPRESSWAY, EXCEPT ON AN ADJACENT**
9 **BICYCLE PATH OR WAY APPROVED BY THE STATE HIGHWAY ADMINISTRATION,**
10 **OR ON ANY OTHER CONTROLLED ACCESS HIGHWAY SIGNED IN ACCORDANCE**
11 **WITH § 21–313 OF THIS TITLE.**

12 **(II) A PERSON MAY NOT OPERATE A MOTOR SCOOTER AT A**
13 **SPEED IN EXCESS OF 30 MILES PER HOUR.**

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

17 **(II) A PERSON MAY NOT OPERATE AN EPAMD AT A SPEED**
18 **IN EXCESS OF 15 MILES PER HOUR.**

19 (b) (1) Where there is a bike lane paved to a smooth surface or a shoulder
20 paved to a smooth surface, a person operating a bicycle or a motor scooter shall use the
21 bike lane or shoulder and may not ride on the roadway, except in the following
22 situations:

23 (i) When overtaking and passing another bicycle, motor scooter,
24 pedestrian, or other vehicle within the bike lane or shoulder if the overtaking and
25 passing cannot be done safely within the bike lane or shoulder;

26 (ii) When preparing for a left turn at an intersection or into an
27 alley, private road, or driveway;

28 (iii) When reasonably necessary to leave the bike lane or
29 shoulder to avoid debris or other hazardous condition; or

30 (iv) When reasonably necessary to leave the bike lane or
31 shoulder because the bike lane or shoulder is overlaid with a right turn lane, merge
32 lane, or other marking that breaks the continuity of the bike lane or shoulder.

1 (2) A person operating a bicycle or a motor scooter may not leave a
2 bike lane or shoulder until the movement can be made with reasonable safety and
3 then only after giving an appropriate signal.

4 (3) The Department shall promulgate rules and regulations pertaining
5 to this subsection which will include, but not be limited to, a definition of “smooth
6 surface”.

7 (c) [A motor scooter may not be operated at a speed in excess of 30 miles per
8 hour.

9 (d)] Notwithstanding any other provision of this title, a person may not
10 operate an EPAMD on any roadway where there are sidewalks adjacent to the
11 roadway [or the posted maximum speed limit is more than 30 miles an hour.

12 (e) An EPAMD may not be operated at a speed in excess of 15 miles per
13 hour].

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2009.