

HOUSE BILL 817

R4, F5

9lr3153
CF SB 548

By: **Delegate Carr**

Introduced and read first time: February 11, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – All-Terrain Vehicles – Safety Standards and Training**

3 FOR the purpose of requiring the Emergency Medical Services (EMS) Board, in
4 accordance with certain provisions of this Act, to establish criteria for
5 all-terrain vehicle safety programs, approve qualifying programs, and adopt
6 certain regulations; prohibiting individuals under a certain age from operating
7 or riding on an all-terrain vehicle; establishing certain prohibitions related to
8 the operation of all-terrain vehicles of certain sizes by individuals of certain
9 ages; prohibiting an individual under a certain age from operating an
10 all-terrain vehicle unless certain requirements related to all-terrain vehicle
11 safety training are met; prohibiting an individual who is not an experienced
12 all-terrain vehicle operator by a certain date from operating an all-terrain
13 vehicle unless certain requirements related to all-terrain vehicle safety training
14 are met; prohibiting an individual who is an experienced all-terrain vehicle
15 operator by a certain date from operating an all-terrain vehicle unless certain
16 requirements related to all-terrain vehicle safety training are met or unless the
17 individual carries a certain card certifying that the individual is an experienced
18 all-terrain vehicle operator; providing that a passenger may ride only on an
19 all-terrain vehicle that is intended by the manufacturer for use by an operator
20 and a passenger; providing that no more than one passenger may ride on an
21 all-terrain vehicle; defining certain terms; and generally relating to safety
22 standards and training for all-terrain vehicles.

23 BY adding to
24 Article – Education
25 Section 13–518
26 Annotated Code of Maryland
27 (2008 Replacement Volume)

28 BY adding to
29 Article – Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 21-1213
2 Annotated Code of Maryland
3 (2006 Replacement Volume and 2008 Supplement)

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

6 **Article - Education**

7 **13-518.**

8 **IN ACCORDANCE WITH § 21-1213 OF THE TRANSPORTATION ARTICLE,**
9 **THE EMS BOARD SHALL:**

10 (1) **ESTABLISH CRITERIA FOR ALL-TERRAIN VEHICLE SAFETY**
11 **TRAINING PROGRAMS;**

12 (2) **APPROVE QUALIFYING ALL-TERRAIN VEHICLE SAFETY**
13 **TRAINING PROGRAMS; AND**

14 (3) **ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF**
15 **THIS SECTION.**

16 **Article - Transportation**

17 **21-1213.**

18 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
19 **MEANINGS INDICATED.**

20 (2) **“ALL-TERRAIN VEHICLE” MEANS A MOTORIZED VEHICLE**
21 **THAT:**

22 (I) **IS DESIGNED TO TRAVEL OFF HIGHWAY ON THREE OR**
23 **FOUR LOW PRESSURE TIRES;**

24 (II) **HAS A SEAT DESIGNED TO BE STRADDLED BY THE**
25 **OPERATOR;**

26 (III) **HAS HANDLEBARS FOR STEERING CONTROL; AND**

27 (IV) **IS INTENDED BY THE MANUFACTURER FOR USE BY A**
28 **SINGLE OPERATOR OR AN OPERATOR AND ONE PASSENGER.**

1 (3) **“ALL-TERRAIN VEHICLE SAFETY TRAINING PROGRAM”**
2 **MEANS A TRAINING PROGRAM APPROVED BY THE EMERGENCY MEDICAL**
3 **SERVICES (EMS) BOARD UNDER § 13-518 OF THE EDUCATION ARTICLE.**

4 (B) (1) **AN INDIVIDUAL UNDER THE AGE OF 6 YEARS MAY NOT**
5 **OPERATE OR RIDE ON AN ALL-TERRAIN VEHICLE.**

6 (2) **AN INDIVIDUAL SHALL OPERATE AN ALL-TERRAIN VEHICLE**
7 **BEARING A CERTIFICATION LABEL CONFORMING TO THE AMERICAN NATIONAL**
8 **STANDARDS INSTITUTE/SPECIALTY VEHICLE INSTITUTE OF AMERICA 2007**
9 **STANDARDS (ANSI/SVIA-1-2007) IN ACCORDANCE WITH THE AGE**
10 **RECOMMENDATION STATED ON THE LABEL.**

11 (3) (I) **THIS PARAGRAPH APPLIES ONLY TO ALL-TERRAIN**
12 **VEHICLES NOT BEARING A CERTIFICATION LABEL CONFORMING TO THE**
13 **AMERICAN NATIONAL STANDARDS INSTITUTE/SPECIALTY VEHICLE INSTITUTE**
14 **OF AMERICA 2007 STANDARDS (ANSI/SVIA-1-2007).**

15 (II) **AN INDIVIDUAL UNDER THE AGE OF 12 YEARS MAY NOT**
16 **OPERATE AN ALL-TERRAIN VEHICLE WITH AN ENGINE CAPACITY THAT IS**
17 **GREATER THAN 70 CUBIC CENTIMETER DISPLACEMENT.**

18 (III) **AN INDIVIDUAL UNDER THE AGE OF 16 YEARS MAY NOT**
19 **OPERATE AN ALL-TERRAIN VEHICLE WITH AN ENGINE CAPACITY THAT IS**
20 **GREATER THAN 90 CUBIC CENTIMETER DISPLACEMENT.**

21 (4) **AN INDIVIDUAL UNDER THE AGE OF 18 YEARS MAY NOT**
22 **OPERATE AN ALL-TERRAIN VEHICLE UNLESS:**

23 (I) **THE INDIVIDUAL HAS SUCCESSFULLY COMPLETED AN**
24 **ALL-TERRAIN VEHICLE SAFETY TRAINING PROGRAM; AND**

25 (II) **THE INDIVIDUAL IS CARRYING A CARD ISSUED BY THE**
26 **TRAINING PROGRAM CERTIFYING THAT THE INDIVIDUAL HAS SUCCESSFULLY**
27 **COMPLETED THE TRAINING PROGRAM.**

28 (5) **THIS SUBSECTION SHALL BE ENFORCED BY THE ISSUANCE OF**
29 **A WARNING THAT INFORMS THE OFFENDER, AND ANY INDIVIDUAL WHO IS**
30 **SUPERVISING THE OFFENDER, OF THE REQUIREMENTS OF THIS SECTION.**

31 (C) (1) **AFTER JUNE 30, 2010, AN INDIVIDUAL WHO WAS NOT AN**
32 **EXPERIENCED ALL-TERRAIN VEHICLE OPERATOR BY JUNE 30, 2010, MAY NOT**
33 **OPERATE AN ALL-TERRAIN VEHICLE UNLESS:**

1 (I) **THE INDIVIDUAL HAS SUCCESSFULLY COMPLETED AN**
2 **ALL-TERRAIN VEHICLE SAFETY TRAINING PROGRAM; AND**

3 (II) **THE INDIVIDUAL IS CARRYING A CARD ISSUED BY THE**
4 **TRAINING PROGRAM CERTIFYING THAT THE INDIVIDUAL HAS SUCCESSFULLY**
5 **COMPLETED THE TRAINING PROGRAM.**

6 (2) **AFTER JUNE 30, 2010, AN INDIVIDUAL WHO WAS AN**
7 **EXPERIENCED ALL-TERRAIN VEHICLE OPERATOR BY JUNE 30, 2010, MAY NOT**
8 **OPERATE AN ALL-TERRAIN VEHICLE UNLESS:**

9 (I) **1. THE INDIVIDUAL HAS SUCCESSFULLY**
10 **COMPLETED AN ALL-TERRAIN VEHICLE SAFETY TRAINING PROGRAM; AND**

11 **2. THE INDIVIDUAL IS CARRYING A CARD ISSUED BY**
12 **THE TRAINING PROGRAM CERTIFYING THAT THE INDIVIDUAL HAS**
13 **SUCCESSFULLY COMPLETED THE TRAINING PROGRAM; OR**

14 (II) **THE INDIVIDUAL IS CARRYING A CARD ISSUED BY AN**
15 **ALL-TERRAIN VEHICLE SAFETY TRAINING PROGRAM CERTIFYING THAT THE**
16 **INDIVIDUAL IS AN EXPERIENCED ALL-TERRAIN VEHICLE OPERATOR.**

17 (D) **(1) A PASSENGER MAY RIDE ONLY ON AN ALL-TERRAIN VEHICLE**
18 **THAT IS INTENDED BY THE MANUFACTURER FOR USE BY AN OPERATOR AND A**
19 **PASSENGER.**

20 **(2) NO MORE THAN ONE PASSENGER MAY RIDE ON AN**
21 **ALL-TERRAIN VEHICLE.**

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