

# HOUSE BILL 1571

R4, R5

9lr3466

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By: **Delegate Malone**

Rules suspended

Introduced and read first time: March 19, 2009

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Medium Speed Vehicles – Standards and Requirements**

3 FOR the purpose of establishing that the Motor Vehicle Administration may issue  
4 certificates of title for, and register, certain medium speed vehicles; providing  
5 for the registration classification of medium speed vehicles; establishing an  
6 annual registration fee for medium speed vehicles; requiring an application for  
7 registration of a medium speed vehicle to be submitted electronically; requiring  
8 a licensed dealer of medium speed vehicles under certain circumstances to  
9 obtain a medium speed vehicle registration application from the vehicle's owner,  
10 collect registration fees, and transmit the application and fees in a certain  
11 manner within a certain time period; prohibiting a person from driving a  
12 medium speed vehicle on certain highways; authorizing the State Highway  
13 Administration or a local authority to prohibit or restrict a person from driving  
14 a medium speed vehicle on certain highways; requiring a medium speed vehicle  
15 to comply with certain federal standards; authorizing the Motor Vehicle  
16 Administration to adopt regulations requiring certain equipment for medium  
17 speed vehicles; requiring the Motor Vehicle Administration and the Department  
18 of State Police to adopt certain regulations establishing equipment standards  
19 for medium speed vehicles; clarifying that a requirement that certain vehicles  
20 display a slow moving vehicle emblem does not apply to medium speed vehicles;  
21 altering certain definitions; defining a certain term; and generally relating to  
22 standards and restrictions for medium speed vehicles.

23 BY repealing and reenacting, with amendments,  
24 Article – Insurance  
25 Section 20–501  
26 Annotated Code of Maryland  
27 (2006 Replacement Volume and 2008 Supplement)

28 BY adding to

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Transportation  
 2 Section 11–132.1 and 13–939.3  
 3 Annotated Code of Maryland  
 4 (2006 Replacement Volume and 2008 Supplement)

5 BY repealing and reenacting, with amendments,  
 6 Article – Transportation  
 7 Section 11–135, 11–176, 13–403, 13–954, 21–313(a), 21–805, 21–1125,  
 8 22–101(e), 23–104, and 25–102(a)  
 9 Annotated Code of Maryland  
 10 (2006 Replacement Volume and 2008 Supplement)

11 BY repealing and reenacting, without amendments,  
 12 Article – Transportation  
 13 Section 13–101.1, 13–402(a)(1), 23–206(a) and (b), 23–207, and 27–101(a) and  
 14 (b)  
 15 Annotated Code of Maryland  
 16 (2006 Replacement Volume and 2008 Supplement)

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

19 **Article – Insurance**

20 20–501.

21 (a) In this subtitle, “covered vehicle” means a motor vehicle for which the  
 22 Fund is required to provide coverage under this subtitle.

23 (b) “Covered vehicle” includes an automobile, truck, van, and trailer.

24 (c) “Covered vehicle” does not include a motorcycle, low speed vehicle,  
 25 **MEDIUM SPEED VEHICLE**, or motorbike.

26 **Article – Transportation**

27 **11–132.1.**

28 **“MEDIUM SPEED VEHICLE” MEANS A FOUR–WHEELED ELECTRIC OR**  
 29 **GASOLINE POWERED VEHICLE THAT HAS A MAXIMUM SPEED CAPABILITY THAT**  
 30 **EXCEEDS 30 MILES PER HOUR BUT IS LESS THAN 35 MILES PER HOUR.**

31 11–135.

32 (a) (1) “Motor vehicle” means, except as provided in subsection (b) of this  
 33 section, a vehicle that:

1 (i) Is self-propelled or propelled by electric power obtained  
2 from overhead electrical wires; and

3 (ii) Is not operated on rails.

4 (2) "Motor vehicle" includes [a]:

5 (I) A low speed vehicle; AND

6 (II) A MEDIUM SPEED VEHICLE.

7 (b) "Motor vehicle" does not include:

8 (1) A moped, as defined in § 11-134.1 of this subtitle; or

9 (2) A motor scooter, as defined in § 11-134.5 of this subtitle.

10 11-176.

11 (a) (1) "Vehicle" means, except as provided in subsection (b) of this  
12 section, any device in, on, or by which any individual or property is or might be  
13 transported or towed on a highway.

14 (2) "Vehicle" includes [a]:

15 (I) A low speed vehicle; AND

16 (II) A MEDIUM SPEED VEHICLE.

17 (b) "Vehicle" does not include an electric personal assistive mobility device as  
18 defined in § 21-101(j) of this article.

19 13-101.1.

20 Except as provided in § 13-102 of this subtitle, the owner of each vehicle that is  
21 in this State and for which the Administration has not issued a certificate of title shall  
22 apply to the Administration for a certificate of title of the vehicle.

23 13-402.

24 (a) (1) Except as otherwise provided in this section or elsewhere in the  
25 Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven  
26 on a highway shall be registered under this subtitle.

27 13-403.

1 (a) (1) Except as provided in paragraph (2) of this subsection, the owner of  
2 a vehicle subject to registration under this subtitle shall apply to the Administration  
3 for the registration of the vehicle in a manner that the Administration requires.

4 (2) The application for registration of a low speed vehicle **OR MEDIUM**  
5 **SPEED VEHICLE** shall be made by electronic transmission under § 13-610 of this title.

6 (b) The application shall contain the information that the Administration  
7 reasonably requires to determine if the vehicle is entitled to registration.

8 (c) If a licensed dealer holds a low speed vehicle **OR MEDIUM SPEED**  
9 **VEHICLE** for sale and transfers the vehicle to a person other than another licensed  
10 dealer, the dealer shall:

11 (1) Obtain from the transferee a completed application;

12 (2) Collect all fees required to register the low speed vehicle **OR**  
13 **MEDIUM SPEED VEHICLE** under this subtitle; and

14 (3) Within 30 days of the date of delivery of the low speed vehicle **OR**  
15 **MEDIUM SPEED VEHICLE**, electronically transmit the application and fees in  
16 accordance with § 13-610 of this title.

17 **13-939.3.**

18 (A) **WHEN REGISTERED WITH THE ADMINISTRATION, EVERY MEDIUM**  
19 **SPEED VEHICLE IS A CLASS S (MEDIUM SPEED) VEHICLE.**

20 (B) **FOR EACH CLASS S (MEDIUM SPEED) VEHICLE, THE ANNUAL**  
21 **REGISTRATION FEE IS \$35.**

22 13-954.

23 (a) In this section, “motor vehicle” means a:

24 (1) Class A (passenger) vehicle;

25 (2) Class B (for hire) vehicle;

26 (3) Class C (funeral and ambulance) vehicle;

27 (4) Class D (motorcycle) vehicle;

28 (5) Class E (truck) vehicle;

29 (6) Class F (tractor) vehicle;

- 1 (7) Class H (school) vehicle;
- 2 (8) Class J (vanpool) vehicle;
- 3 (9) Class M (multipurpose) vehicle;
- 4 (10) Class P (passenger bus) vehicle;
- 5 (11) Class Q (limousine) vehicle;
- 6 (12) Class R (low speed) vehicle; [or]

7 **(13) CLASS S (MEDIUM SPEED) VEHICLE; OR**

8 [(13)] **(14)** Vehicle within any other class designated by the  
9 Administrator.

10 (b) (1) In addition to the registration fee otherwise required by this title,  
11 the owner of any motor vehicle registered under this title shall pay a surcharge of  
12 \$13.50 per year for each motor vehicle registered.

13 (2) \$2.50 of the surcharge collected under paragraph (1) of this  
14 subsection shall be paid into the Maryland Trauma Physician Services Fund  
15 established under § 19–130 of the Health – General Article.

16 21–313.

17 (a) The State Highway Administration, by order, or any local authority, by  
18 ordinance, may prohibit the use of any controlled access highway in its jurisdiction by  
19 parades, low speed vehicles, **MEDIUM SPEED VEHICLES**, funeral processions, bicycles,  
20 or other nonmotorized traffic or by any person operating a motorcycle.

21 21–805.

22 (a) (1) This subsection does not apply to:

23 (i) Vehicles used by any utility in the construction,  
24 maintenance, or repair of its facilities;

25 (ii) Vehicles used by any highway authority or bridge or  
26 highway district in construction, maintenance, repair, inspection, or survey work; [or]

27 (iii) Low speed vehicles; **OR**

28 **(IV) MEDIUM SPEED VEHICLES.**

1           (2) A person may not drive on a highway any vehicle or combination of  
2 vehicles that is designed to be and is driven at a speed of 25 miles an hour or less,  
3 unless the rearmost vehicle displays a slow moving vehicle emblem in accordance with  
4 this section.

5           (b) Any other vehicle or combination of vehicles, when driven at a speed of 25  
6 miles an hour or less, may display a slow moving vehicle emblem in accordance with  
7 this section.

8           (c) The slow moving vehicle emblem specified in this section shall:

9                   (1) Be a truncated equilateral triangle at least 14 inches high with a  
10 red reflective border at least 1.75 inches wide and with a fluorescent orange center;

11                   (2) Comply with current standards and specifications of the American  
12 Society of Agricultural Engineers; and

13                   (3) Be mounted on the rear of the vehicle, base down, at a height of not  
14 less than 3 nor more than 5 feet from ground to base.

15           (d) New farm equipment designed or intended by the manufacturer to be  
16 driven or moved at a speed of 25 miles an hour or less may not be sold in this State  
17 unless it is equipped by the manufacturer with a slow moving vehicle emblem in  
18 accordance with this section.

19           (e) The slow moving vehicle emblem shall be displayed and maintained on  
20 the farm equipment as long as it can be driven or moved on a highway.

21           (f) The slow moving vehicle emblem described in this section may be  
22 displayed only as permitted or required by this section.

23 21-1125.

24           (A) Notwithstanding any other provision of this title, a person may not drive  
25 a low speed vehicle:

26                   (1) On a highway for which the posted maximum speed limit exceeds  
27 30 miles per hour;

28                   (2) On an expressway or another controlled access highway that is  
29 signed in accordance with § 21-313 of this title;

30                   (3) On a highway on which driving a low speed vehicle is prohibited by  
31 a county or municipal ordinance; or

32                   (4) Across a highway for which the posted maximum speed limit  
33 exceeds 45 miles per hour, except at an intersection that is controlled by:

- 1 (i) A traffic control signal; or  
2 (ii) A stop sign at each approach to the intersection.

3 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A  
4 PERSON MAY NOT DRIVE A MEDIUM SPEED VEHICLE:

5 (1) ON A HIGHWAY FOR WHICH THE POSTED MAXIMUM SPEED  
6 LIMIT EXCEEDS 40 MILES PER HOUR;

7 (2) ON AN EXPRESSWAY OR ANOTHER CONTROLLED ACCESS  
8 HIGHWAY THAT IS SIGNED IN ACCORDANCE WITH § 21-313 OF THIS TITLE;

9 (3) ON A HIGHWAY ON WHICH DRIVING A MEDIUM SPEED  
10 VEHICLE IS PROHIBITED BY A COUNTY OR MUNICIPAL ORDINANCE; OR

11 (4) ACROSS A HIGHWAY FOR WHICH THE POSTED MAXIMUM  
12 SPEED LIMIT EXCEEDS 45 MILES PER HOUR, EXCEPT AT AN INTERSECTION THAT  
13 IS CONTROLLED BY:

14 (I) A TRAFFIC CONTROL SIGNAL; OR

15 (II) A STOP SIGN AT EACH APPROACH TO THE  
16 INTERSECTION.

17 22-101.

18 (e) (1) The provisions of this title with respect to equipment on vehicles do  
19 not apply to farm equipment, road machinery, road rollers, or farm tractors, except as  
20 made applicable in this title.

21 (2) (i) Subject to subparagraph (ii) of this paragraph, this title does  
22 not apply to low speed vehicles **OR MEDIUM SPEED VEHICLES**.

23 (ii) 1. A low speed vehicle **OR MEDIUM SPEED VEHICLE**  
24 shall comply with federal standards under 49 C.F.R. 571.500.

25 2. The Administration may adopt regulations that  
26 require equipment for low speed vehicles **OR MEDIUM SPEED VEHICLES** in addition  
27 to equipment required under federal law.

28 23-104.

29 (a) Every vehicle driven on the highways in this State shall, where  
30 applicable, have the following equipment, meeting or exceeding the standards  
31 established jointly by the Administration and the Division: brakes, steering,

1 suspension, horn, door handles, mirrors, tires, exhaust system, lights, glazing,  
2 windshield wipers, odometer, speedometer, bumpers, properly aligned wheels, wheels  
3 and wheel lugs, fenders, floor pans, hood, hood catches, emissions equipment, fuel  
4 system, front seat, motor mounts, gear selection indicator for automatic transmissions,  
5 universal joints, and seat belts or combination seat belt–shoulder harness if required  
6 as original equipment under § 22–412 or § 22–412.1 of this article.

7 (b) (1) The Administration and the Division jointly may establish  
8 standards by rule or regulation for this equipment.

9 (2) The Administration and the Division shall adopt, consistent with  
10 federal law, regulations establishing equipment, performance, and other technical  
11 standards for low speed vehicles **AND MEDIUM SPEED VEHICLES**.

12 23–206.

13 (a) An owner of a motor vehicle that is registered in this State shall have the  
14 vehicle inspected and tested as required under this subtitle.

15 (b) A motor vehicle registered in this State, unless exempted or given a  
16 waiver under this subtitle, shall meet the standards and requirements of this subtitle.

17 23–207.

18 The Administration and the Secretary may jointly adopt rules and regulations  
19 as required for purposes of implementation, administration, regulation, and  
20 enforcement of the provisions of this subtitle, including rules and regulations that,  
21 consistent with federal law, exempt certain vehicles from the inspections and tests  
22 under this subtitle.

23 25–102.

24 (a) The provisions of the Maryland Vehicle Law do not prevent a local  
25 authority, in the reasonable exercise of its police power, from exercising the following  
26 powers as to highways under its jurisdiction:

27 (1) Subject to the provisions of § 21–1003.1 of this article, regulating  
28 or prohibiting the stopping, standing, or parking of vehicles;

29 (2) Regulating traffic by means of police officers or traffic control  
30 devices;

31 (3) Regulating or prohibiting processions or assemblies on highways;

32 (4) Designating particular highways or separate roadways as one–way  
33 highways and requiring that all vehicles on them move in one specified direction;

34 (5) Regulating the speed and weight of vehicles in public parks;



1           (6) Designating any highway as a through highway or designating any  
2 intersection as a stop intersection or a yield intersection;

3           (7) Restricting the use of highways as provided in Title 24 of this  
4 article;

5           (8) Regulating the operation of bicycles, requiring them to be  
6 registered, and imposing a registration fee;

7           (9) Regulating or prohibiting the turning of vehicles or specified types  
8 of vehicles at intersections;

9           (10) Altering speed limits as provided in Title 21, Subtitle 8 of this  
10 article;

11           (11) Regulating through truck traffic and prohibiting trucks from using  
12 any highway or alley that is not designated or maintained as a part or extension of the  
13 State or federal highway system, provided the local authority has designated an  
14 adequate alternate route for diverted truck traffic;

15           (12) Adopting any other traffic regulations as specifically authorized in  
16 the Maryland Vehicle Law;

17           (13) Regulating taxi stands, including taxi stands in the middle of a  
18 block;

19           (14) (i) Except in Garrett County, designating a certain portion of  
20 highways or roadways upon which snowmobiles may travel for the sole purpose of  
21 gaining access to snowmobile trails which have been designated by the Department of  
22 Natural Resources. However, only those highways and roadways which divide  
23 snowmobile trails and which would otherwise obstruct direct access between  
24 snowmobile trails may be so designated; and

25                   (ii) In Garrett County, permitting a person to cross a highway  
26 or roadway on a snowmobile at a right angle, and designating a certain portion of  
27 highways or roadways upon which snowmobiles may travel for the sole purpose of  
28 gaining access to snowmobile trails which have been designated by the Department of  
29 Natural Resources;

30           (15) Requiring a motorized minibike to be permitted by the local  
31 authority, and imposing a permit fee;

32           (16) In Allegany County, designating crossings on county highways  
33 where a person operating a golf cart may cross the highway for continued access to any  
34 portion of a golf course; and

1                   (17) Restricting use of a low speed vehicle **OR A MEDIUM SPEED**  
2 **VEHICLE** on a highway.

3 27-101.

4                   (a) It is a misdemeanor for any person to violate any of the provisions of the  
5 Maryland Vehicle Law unless the violation:

6                   (1) Is declared to be a felony by the Maryland Vehicle Law or by any  
7 other law of this State; or

8                   (2) Is punishable by a civil penalty under the applicable provision of  
9 the Maryland Vehicle Law.

10                   (b) Except as otherwise provided in this section, any person convicted of a  
11 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is  
12 subject to a fine of not more than \$500.

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