

# SENATE BILL 548

R4, F5

9lr1558

---

By: **Senators Forehand and Raskin**

Introduced and read first time: February 5, 2009

Assigned to: Judicial Proceedings

---

## 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.