

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 25 (Delegate Olszewski)
Environmental Matters

Vehicle Laws - Motor Scooters - Prohibited Roads for Operation

This bill prohibits the use of a motor scooter on a roadway with a posted maximum speed limit exceeding 30 miles per hour. The bill also makes stylistic changes.

Fiscal Summary

State Effect: Enforcement can be handled within existing resources.

Local Effect: Enforcement can be handled within existing resources.

Small Business Effect: None.

Analysis

Current Law: A motor scooter is a two-wheeled nonpedal vehicle, equipped with a seat and a step-through chassis, with either a motor with a maximum rating of 2.7 brake horsepower or an engine of 50cc or less. A motor scooter is also equipped with an automatic transmission. A person may not operate a motor scooter at a speed in excess of 30 miles per hour.

A person may not ride a motor scooter on any roadway where the maximum speed limit exceeds 50 miles per hour; on any expressway (except on an adjacent bicycle path or way approved by the Maryland State Highway Administration); or on any other controlled access highway prohibited by specified signage. (*See* Transportation Article §§ 11-134.5 and 21-313.)

Motor scooters are restricted to bike lanes or smooth shoulders except when:

- overtaking and passing a bicycle, motor scooter, pedestrian, or other vehicle within the bike lane or shoulder;
- preparing for a left turn;
- reasonably necessary to leave the bike lane or shoulder to avoid debris or other hazardous condition; or
- reasonably necessary to leave the bike lane or shoulder because either is overlaid with a right turn or merge lane, or other break in the continuity of the bike lane or shoulder.

Background: The record spike in gas prices during the spring and summer of 2008 is one of the factors contributing to the popularity of motor scooters. Also, many people regard motor scooters as more efficient than automobiles for short trips. They achieve about 70 miles per gallon of gas and are also considered more environmentally friendly than automobiles. According to the Motorcycle Industry Council, about 131,000 motor scooters were sold nationally in 2007. However, traffic safety advocates have begun to express concerns about the increasing number of motor scooters on high-speed thoroughfares since they cannot achieve the speeds of automobiles, making integration with automobile traffic difficult.

Additional Information

Prior Introductions: None.

Cross File: SB 18 (Senator Klausmeier) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - January 26, 2009
ncs/ljm

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