

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 548 (Senators Forehand and Raskin)
Judicial Proceedings

Vehicle Laws - All-Terrain Vehicles - Safety Standards and Training

This bill requires the State Emergency Medical Services (EMS) Board to establish criteria for and approve all-terrain vehicle (ATV) safety training programs as well as to adopt regulations to implement the programs. The bill regulates the permissible use of different ATV types based on the age of the operator and completion of ATV safety training programs.

Fiscal Summary

State Effect: The development of regulations can likely be handled with existing EMS Board resources. Warnings can be issued with existing resources.

Local Effect: Warnings can be issued with existing resources.

Small Business Effect: Minimal.

Analysis

Bill Summary: Individuals younger than age six are not permitted to operate or ride on an ATV. Further, the bill requires an ATV to be operated in accordance with the age recommendation on the certification label conforming to the American National Standards Institute/Specialty Vehicle Institute of America 2007 (ANSI/SVIA-1-2007) standards.

If an ATV does not bear a certification label conforming to the ANSI/SVIA-1-2007 standard, then an individual may not operate an ATV with an engine capacity greater than:

- 70 cubic centimeters unless age 12 or older; or
- 90 cubic centimeters unless age 16 or older.

Any individual younger than age 18 may not operate an ATV unless he or she has completed an EMS approved safety training program and is carrying the card issued by the program certifying successful completion. Violation of any of the age restrictions in the bill is enforced by a warning given to the operator and anyone supervising the operator informing them of the bill's requirements.

Beginning July 1, 2010, an individual of any age who is not an experienced ATV operator may not operate an ATV unless he or she has successfully completed a safety training program and is carrying the card issued by the program certifying successful completion. An operator who was experienced before then may instead carry a card issued by an ATV safety training program indicating certification as an experienced operator.

Only one passenger is allowed to ride on an ATV, and only on an ATV intended by the manufacturer for use by both an operator and a passenger.

For purposes of the bill, an ATV is defined as a motorized vehicle that includes a seat designed to be straddled and handlebars for steering control, and is designed to travel off highway on three or four low pressure tires and intended for use by an operator and one passenger at most.

Current Law/Background: Chapters 14 and 487 of 2008 established the All-Terrain Vehicle Safety Task Force to identify and study major issues related to ATV safety, including training for ATV owners. The task force was required to submit an interim report by December 15, 2008, and a final report by May 31, 2009. The task force satisfied both reporting requirements by consolidating the interim and final reports into one document. That report reached consensus regarding a number of recommendations, including that (1) a uniform definition of ATV (similar but not identical to the definition in this bill) should be adopted; (2) age restrictions be adopted for individuals younger than 18 with reference to ANSI/SVIA-1-2007 standards; and (3) safety training program completion be required for individuals of all ages after July 1, 2010.

According to the Maryland Institute for Emergency Medical Systems Services, in calendar year 2007, 271 individuals were treated for ATV-related accidents in Maryland trauma centers. Of the 271 individuals treated, 143 (52.8%) were admitted to the trauma center. Total trauma center charges for these admissions were \$2.5 million, an average of \$12,193 per admission.

Additional Information

Prior Introductions: None.

Cross File: HB 817 (Delegate Carr) - Environmental Matters.

Information Source(s): Department of Natural Resources, Maryland Institute for Emergency Medical Services Systems, Judiciary (Administrative Office of the Courts), Department of State Police, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2009
ncs/ljm

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