# HOUSE BILL 248

E4, R2

0lr0979 CF 0lr2511

#### By: **Delegate Pena–Melnyk** Introduced and read first time: January 25, 2010 Assigned to: Environmental Matters

## A BILL ENTITLED

1 AN ACT concerning

### 2 Vehicle Laws – Equine Riding – Helmet Requirement for Minors

3 FOR the purpose of prohibiting a person under a certain age from riding an equine on 4 a highway, an equine-riding path, or a certain other property unless the person  $\mathbf{5}$ is wearing a properly secured helmet that meets or exceeds certain standards; 6 providing that a person convicted of a first violation of this Act is subject to a 7certain warning; establishing a fine schedule for subsequent violations of this 8 Act; requiring a court to order the parent or guardian of a person under a 9 certain age who is convicted of a violation of this Act to pay the fine imposed for 10 the violation under certain circumstances; requiring a police officer who charges a person with a violation of this Act to provide certain educational materials to 11 12the person; and generally relating to helmet use while equine riding.

- 13 BY repealing and reenacting, with amendments,
- 14 Article Transportation
- 15 Section 21–104
- 16 Annotated Code of Maryland
- 17 (2009 Replacement Volume and 2009 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 19 MARYLAND, That the Laws of Maryland read as follows:

- Article Transportation
- 21 21–104.

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(a) Every person riding an animal or driving an animal-drawn vehicle on a
roadway has all the rights granted to and is subject to all the duties required of the
driver of a vehicle by this title, except for those provisions of this title that by their
very nature cannot apply.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



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1 (b) (1) UNLESS THE PERSON IS WEARING A PROPERLY SECURED 2 HELMET THAT MEETS OR EXCEEDS THE STANDARDS OF THE AMERICAN 3 SOCIETY OF TESTING AND MATERIALS OR THE SAFETY EQUIPMENT INSTITUTE 4 FOR PROTECTIVE HEADGEAR FOR USE IN EQUESTRIAN RIDING, A PERSON 5 UNDER THE AGE OF 18 MAY NOT RIDE AN EQUINE ON ANY:

- 6 **(I) HIGHWAY;** 7 **(II) EQUINE-RIDING PATH: OR** 8 (III) OTHER PROPERTY OPEN TO THE PUBLIC OR USED BY 9 THE PUBLIC FOR PEDESTRIAN OR VEHICULAR TRAFFIC. 10 (2) A PERSON WHO IS CONVICTED OF A VIOLATION OF 11 PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO: 12**(I)** FOR A FIRST OFFENSE, A WARNING THAT INFORMS THE OFFENDER OF THE REQUIREMENTS OF THIS SECTION; 1314**(II)** FOR A SECOND OFFENSE, A FINE OF \$15; AND 15(III) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF \$35. 16(3) A COURT SHALL ORDER THE PARENT OR GUARDIAN OF A 17PERSON UNDER THE AGE OF 14 WHO IS CONVICTED OF A VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION TO PAY THE FINE IMPOSED UNDER 18PARAGRAPH (2) OF THIS SUBSECTION IF THE VIOLATION OCCURRED IN THE 1920PRESENCE OF THE PARENT OR GUARDIAN. 21A POLICE OFFICER WHO CHARGES A PERSON WITH A (4) 22VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION SHALL ISSUE TO THE 23PERSON EDUCATIONAL MATERIALS PROVIDING INFORMATION ABOUT THE 24**REQUIREMENTS OF THIS SUBSECTION AND ABOUT PROPER HELMET USE WHILE** 25**RIDING AN EQUINE.** 26Except in Charles, Worcester, and St. Mary's counties, or as **(C)** (1)provided in paragraph (2) of this subsection, a person may not ride an animal or drive 2728an animal-drawn vehicle on: 29Any divided highway where the posted maximum speed (i) limit is more than 35 miles an hour; or 30
- 31 (ii) Any controlled access highway.

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1 (2) In Anne Arundel County, a person may ride an animal on any part 2 of a highway described in paragraph (1) of this subsection, other than on its roadway 3 or shoulder.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 5 October 1, 2010.