

SENATE BILL 51

R5

(0lr0492)

ENROLLED BILL

— *Judicial Proceedings/Environmental Matters* —

Introduced by ~~Senator Raskin~~ Senators Raskin and Forehand

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Bicycles, EPAMDs, and Motor Scooters – Rules of the Road**

3 FOR the purpose of requiring a driver of a vehicle, when overtaking a bicycle, an
4 EPAMD, or a motor scooter, to pass safely at a certain distance, except under
5 certain circumstances; requiring a driver of a vehicle to yield the right-of-way
6 to a person who is riding a bicycle, an EPAMD, or a motor scooter in a
7 designated bike lane or shoulder under certain circumstances; and generally
8 relating to the rules of the road for bicycles, EPAMDs, and motor scooters.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–1209
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



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

3 **Article – Transportation**

4 21–1209.

5 (a) Notwithstanding any other provision of this title, the driver of a vehicle
6 shall [exercise]:

7 **(1) EXERCISE** due care to avoid colliding with any bicycle, EPAMD, or
8 motor scooter being ridden by a person; AND

9 **(2) WHEN OVERTAKING A BICYCLE, AN EPAMD, OR A MOTOR**
10 **SCOOTER, PASS SAFELY AT A DISTANCE OF NOT LESS THAN 3 FEET, UNLESS, AT**
11 **THE TIME:**

12 **(I) THE BICYCLE, EPAMD, OR MOTOR SCOOTER RIDER**
13 **FAILS TO OPERATE THE VEHICLE IN CONFORMANCE WITH § 21–1205(A) OF THIS**
14 **SUBTITLE (“RIDING TO RIGHT SIDE OF ROADWAY”) OR § 21–1205.1(B) OF THIS**
15 **SUBTITLE (“ROADWAY WITH BIKE LANE OR SHOULDER PAVED TO SMOOTH**
16 **SURFACE”); ~~OR~~**

17 **(II) A PASSING CLEARANCE OF LESS THAN 3 FEET IS**
18 **CAUSED SOLELY BY THE BICYCLE, EPAMD, OR MOTOR SCOOTER RIDER**
19 **FAILING TO MAINTAIN A STEADY COURSE; OR**

20 **(III) THE HIGHWAY ON WHICH THE VEHICLE IS BEING**
21 **DRIVEN IS NOT WIDE ENOUGH TO LAWFULLY PASS THE BICYCLE, EPAMD, OR**
22 **MOTOR SCOOTER AT A DISTANCE OF AT LEAST 3 FEET.**

23 (b) A person may not throw any object at or in the direction of any person
24 riding a bicycle, an EPAMD, or a motor scooter.

25 (c) A person may not open the door of any motor vehicle with intent to strike,
26 injure, or interfere with any person riding a bicycle, an EPAMD, or a motor scooter.

27 **(D) UNLESS OTHERWISE SPECIFIED IN THIS TITLE, THE DRIVER OF A**
28 **VEHICLE SHALL YIELD THE RIGHT-OF-WAY TO A PERSON WHO IS LAWFULLY**
29 **RIDING A BICYCLE, AN EPAMD, OR A MOTOR SCOOTER IN A DESIGNATED BIKE**
30 **LANE OR SHOULDER IF THE DRIVER OF THE VEHICLE IS ABOUT TO ENTER OR**
31 **CROSS THE DESIGNATED BIKE LANE OR SHOULDER.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.