

Chapter 517

(Senate Bill 51)

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–1209

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

Article – Transportation

21–1209.

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 20, 2010.