

**SB0306/648076/2**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 306  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Motor Scooters – Definition” and substitute “Motorized Minibike – Use in Ocean City”; strike beginning with “altering” in line 3 down through “Law” in line 4 and substitute “authorizing the use of a “motorized minibike” on certain highways under certain conditions; authorizing the State Highway Administration to prohibit the operation of a motorized minibike on certain highways under certain circumstances; defining certain terms”; strike line 5 in its entirety and substitute “the use of a motorized minibike in Ocean City.”; strike in their entirety lines 6 through 10, inclusive; in line 13, strike “21-1201(c)” and substitute “21-101(a), (c), (d), and (e)”; and after line 15, insert:

“BY adding to

Article - Transportation

Section 25-102.2

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 17 on page 2, inclusive, and substitute:

“21-101.

(a) In this title and Title 25 of this article the following words have the meanings indicated.

(Over)

(c) “Bicycle path” means any travelway designed and designated by signing or signing and marking for bicycle use, located within its own right-of-way or in a shared right-of-way, and physically separated from motor vehicle traffic by berm, shoulder, curb, or other similar device.

(d) (1) “Bicycle way” means:

(i) Any trail, path, part of a highway, surfaced or smooth shoulder, or sidewalk; or

(ii) Any other travelway specifically signed, marked, or otherwise designated for bicycle travel.

(2) “Bicycle way” includes:

(i) Bicycle path; and

(ii) Bike lane.

(e) “Bike lane” means any portion of a roadway or shoulder designated for single directional bicycle flow.

**25-102.2.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) (1) “LICENSED DRIVER” MEANS AN INDIVIDUAL WHO HOLDS A DRIVER’S LICENSE OF ANY CLASS ISSUED BY THE STATE OR, IF THE INDIVIDUAL IS A NONRESIDENT OF THE STATE, ISSUED BY ANOTHER STATE OR COUNTRY.**

(II) "LICENSED DRIVER" DOES NOT INCLUDE AN INDIVIDUAL WHO HOLDS A LEARNER'S PERMIT OR A PROVISIONAL LICENSE ISSUED BY THE STATE OR, IF THE INDIVIDUAL IS A NONRESIDENT OF THE STATE, THE EQUIVALENT LICENSE ISSUED BY ANOTHER STATE OR COUNTRY.

(3) (I) "MOTORIZED MINIBIKE" MEANS A NONPEDAL VEHICLE THAT:

1. HAS A COCKPIT CONTAINING A SEAT FOR THE OPERATOR AND A PASSENGER;

2. HAS THREE WHEELS, OF WHICH ONE IS 10 INCHES OR MORE IN DIAMETER;

3. HAS A MOTOR:

A. WITH A RATING OF 2.7 BRAKE HORSEPOWER OR LESS; OR

B. IF THE MOTOR IS AN INTERNAL COMBUSTION ENGINE, WITH A CAPACITY OF 50 CUBIC CENTIMETERS PISTON DISPLACEMENT OR LESS; AND

4. IS EQUIPPED WITH AN AUTOMATIC TRANSMISSION.

(II) "MOTORIZED MINIBIKE" DOES NOT INCLUDE A VEHICLE THAT HAS BEEN MANUFACTURED FOR OFF-ROAD USE, INCLUDING A MOTORCYCLE AND AN ALL-TERRAIN VEHICLE.

(B) NOTWITHSTANDING ANY OTHER PROVISIONS OF THE MARYLAND VEHICLE LAW REGARDING THE OPERATION OF A VEHICLE ON A HIGHWAY IN THE STATE, IN THE MUNICIPAL BOUNDARIES OF OCEAN CITY, A LICENSED DRIVER MAY OPERATE A MOTORIZED MINIBIKE ON:

(1) A LOCAL HIGHWAY; AND

(2) SUBJECT TO SUBSECTION (C) OF THIS SECTION, ANY PORTION OF A STATE HIGHWAY DESIGNATED BY THE STATE HIGHWAY ADMINISTRATION AS A BICYCLE WAY.

(C) THE STATE HIGHWAY ADMINISTRATION MAY PROHIBIT THE OPERATION OF A MOTORIZED MINIBIKE ON A BICYCLE WAY UNDER THE JURISDICTION OF THE STATE HIGHWAY ADMINISTRATION IF IT DETERMINES THAT:

(1) AN OCCUPANT OF A MOTORIZED MINIBIKE IS PLACED AT AN UNACCEPTABLE RISK OF INJURY ON THE BICYCLE WAY; OR

(2) THE OPERATION OF A MOTORIZED MINIBIKE IS A THREAT TO THE SAFETY OR MOBILITY OF OTHERS ALONG THE BICYCLE WAY."