

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 319 (Senators Brinkley and Young)  
Judicial Proceedings

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Frederick County - Motor Vehicle Registration - Exception for All-Terrain and  
Utility-Terrain Vehicles

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This bill exempts from registration an all-terrain vehicle (ATV) or utility-terrain vehicle (UTV), which is owned by the State or a local government or public safety entity, operated on a highway in Frederick County by an approved operator in the course of official government or public safety duties, and equipped with front and rear lighting and a horn. An unregistered ATV or UTV may not be operated on a highway for which the posted maximum speed limit is more than 50 miles per hour. A person operating an unregistered ATV or UTV must maintain evidence of liability insurance in the vehicle while on a highway in Frederick County.

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Fiscal Summary

**State Effect:** The bill is not anticipated to materially affect State operations or finances.

**Local Effect:** The bill is not anticipated to materially affect local operations or finances.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** Each motor vehicle, trailer, semitrailer, and pole trailer driven on a highway must be registered. A “motor vehicle” is defined as a vehicle that, unless otherwise specifically exempted, is self-propelled or propelled by electric power obtained from overhead electrical wires and not operated on rails. Certain motor vehicles are specifically exempt from this requirement, including specified snowmobiles in Garrett County and certain golf carts in Allegany County and on Smith Island. ATVs and

UTVs are not specifically defined in the Maryland Vehicle Law, but they are referenced within the definition of an “off-highway recreational vehicle.” Although ATVs and UTVs meet the definition of a “motor vehicle” and are not specifically exempt from registration, they are not currently registered by MVA.

Certain vehicles, such as low-speed vehicles, bicycles, and motor scooters, are restricted to certain highways based on the maximum posted speed limit and may be subject to different rules of the road than passenger cars and trucks. ATVs and UTVs are not subject to these restrictions, but they are intended primarily for off-highway use.

The Maryland Vehicle Law requires the owner of a motor vehicle to maintain required security during the vehicle’s registration period. However, State law does not require that evidence of the required security, such as a liability insurance policy, be carried or possessed within a vehicle during its operation.

**Background:** The ATV has become well-known as a sport vehicle for off-road recreational purposes. The less common UTV has traditionally been used as a work vehicle in a wide array of functions, such as snowplowing, hauling, or for various agricultural, law enforcement, or public safety purposes. A UTV generally has two seats and often has a windshield, roof, and cargo space. However, the UTV is also growing in popularity as a recreational off-road vehicle, with some models resembling a large, two-seat ATV.

**Additional Comments:** Frederick County advises that it owns very few ATVs or UTVs, and that the last ATV or UTV purchased was in 2007.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** HB 429 (Frederick County Delegation) - Environmental Matters.

**Information Source(s):** Frederick County, Department of Natural Resources, Department of State Police, Maryland Department of Transportation, [www.utvguide.net](http://www.utvguide.net), Department of Legislative Services

**Fiscal Note History:** First Reader - February 11, 2013  
mlm/ljm

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