

HOUSE BILL 92

R5

4lr0535

(PRE-FILED)

By: **Delegate Cardin**

Requested: September 24, 2013

Introduced and read first time: January 8, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Passing a Bicycle, an Electric Personal Assistive Mobility**
3 **Device, or a Motor Scooter – Distance Requirement**

4 FOR the purpose of altering the distance that the driver of a vehicle is required to
5 maintain, except under certain circumstances, when passing a bicycle, an
6 electric personal assistive mobility device (EPAMD), or a motor scooter; making
7 conforming changes; and generally relating to bicycles, EPAMDs, and motor
8 scooters.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–1209(a)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2013 Supplement)

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

16 **Article – Transportation**

17 21–1209.

18 (a) Notwithstanding any other provision of this title, the driver of a vehicle
19 shall:

20 (1) Exercise due care to avoid colliding with any bicycle, EPAMD, or
21 motor scooter being ridden by a person; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) When overtaking a bicycle, an EPAMD, or a motor scooter, pass
2 safely at a distance of not less than [3] 4 feet, unless, at the time:

3 (i) The bicycle, EPAMD, or motor scooter rider fails to operate
4 the vehicle in conformance with § 21-1205(a) of this subtitle (“Riding to right side of
5 roadway”) or § 21-1205.1(b) of this subtitle (“Roadway with bike lane or shoulder
6 paved to smooth surface”);

7 (ii) A passing clearance of less than [3] 4 feet is caused solely by
8 the bicycle, EPAMD, or motor scooter rider failing to maintain a steady course; or

9 (iii) The highway on which the vehicle is being driven is not wide
10 enough to lawfully pass the bicycle, EPAMD, or motor scooter at a distance of at least
11 [3] 4 feet.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2014.