

HOUSE BILL 653

R5, L5

5lr0499

By: **Montgomery County Delegation and Prince George's County Delegation**
Introduced and read first time: February 12, 2015
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Regulation of**
3 **Off–Highway Recreational Vehicles in Prince George's County**

4 **MC/PG 114–15**

5 FOR the purpose of requiring the Maryland–National Capital Park and Planning
6 Commission, in conjunction with the Prince George's County Department of Parks
7 and Recreation, to adopt regulations governing the use of off–highway recreational
8 vehicles on Commission property located in Prince George's County.

9 BY repealing and reenacting, with amendments,
10 Article – Land Use
11 Section 17–207
12 Annotated Code of Maryland
13 (2012 Volume and 2014 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Transportation
16 Section 11–140.1
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2014 Supplement)

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

21 **Article – Land Use**

22 17–207.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) The Commission may adopt regulations for the use of any property
2 under its jurisdiction.

3 (2) THE COMMISSION, IN CONJUNCTION WITH THE PRINCE
4 GEORGE'S COUNTY DEPARTMENT OF PARKS AND RECREATION, SHALL ADOPT
5 REGULATIONS GOVERNING THE USE OF OFF-HIGHWAY RECREATIONAL VEHICLES,
6 AS DEFINED UNDER § 11-140.1 OF THE TRANSPORTATION ARTICLE, ON
7 COMMISSION PROPERTY LOCATED IN PRINCE GEORGE'S COUNTY.

8 (b) (1) The Commission shall:

9 (i) post the regulations outside each park headquarters building,
10 community center, recreation center, or similar building in a developed park area; and

11 (ii) after posting the regulations, publish them at least three times
12 within 60 days in one or more newspapers of general circulation published in the
13 metropolitan district.

14 (2) The posting and publication of the regulations shall be sufficient notice
15 to all persons.

16 (3) The sworn certificate of a commissioner as to the posting and
17 publication of the regulations is prima facie evidence of posting and publication.

18 Article – Transportation

19 11-140.1.

20 (a) “Off-highway recreational vehicle” means a vehicle that is:

21 (1) A motor-assisted or motor-driven vehicle that:

22 (i) Is designed to carry only the operator of the vehicle on a seat or
23 saddle designed to be straddled by the operator or is designed to carry only the operator of
24 the vehicle and one passenger; and

25 (ii) Is commonly known as an all-terrain vehicle;

26 (2) A motorcycle that is designed for off-highway operation and is not
27 eligible for registration as a Class D (motorcycle) vehicle under this article, commonly
28 known as a dirt bike; or

29 (3) A snowmobile.

30 (b) “Off-highway recreational vehicle” does not include:

1 (1) A farm vehicle as defined in § 13-911 of this article when used
2 exclusively on farm property by a farmer; or

3 (2) Any vehicle when used on residential property for the purpose of
4 landscaping, gardening, or lawn care.

5 (c) The Administration may establish by regulation other requirements for or
6 limitations on the definition of “off-highway recreational vehicle”.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2015.