

SENATE BILL 547

R5

5l2222
CF 5l2582

By: **Senators Klausmeier, Guzzone, Lee, and Raskin**

Introduced and read first time: February 6, 2015

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Passing Bicycles, Personal Mobility Devices, or Motor Scooters**

3 FOR the purpose of requiring that when overtaking a bicycle, an electric personal assistive
4 mobility device (EPAMD), or a motor scooter, the driver of a vehicle is required to
5 pass at a safe speed; repealing a certain exception to a certain requirement that a
6 driver overtake and pass a bicycle, an EPAMD, or a motor scooter in a certain
7 manner that applies when a highway lacks sufficient width; and generally relating
8 to rules of the road for overtaking and passing bicycles, EPAMDs, or motor scooters.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–1209
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2014 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 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 shall:

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

21 (2) When overtaking a bicycle, an EPAMD, or a motor scooter, pass safely
22 at [a]:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) A SAFE SPEED; AND**

2 **(II) A distance of not less than 3 feet, unless, at the time:**

3 **[(i)] 1.** 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 paved to
6 smooth surface”); **OR**

7 **[(ii)] 2.** A passing clearance of less than 3 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 3
11 feet].

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

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

16 (d) Unless otherwise specified in this title, the driver of a vehicle shall yield the
17 right-of-way to a person who is lawfully riding a bicycle, an EPAMD, or a motor scooter in
18 a designated bike lane or shoulder if the driver of the vehicle is about to enter or cross the
19 designated bike lane or shoulder.

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