

HOUSE BILL 214

R5

6lr0549
CF SB 1123

By: **Delegates Lafferty, Fraser-Hidalgo, Lam, Carr, Chang, Ebersole, Krimm,
Lierman, Miele, and Moon**

Introduced and read first time: January 22, 2016

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2016

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of ~~repealing a certain exception to a certain requirement that a driver~~
4 ~~overtake and pass a bicycle, an electric personal assistive mobility device (EPAMD),~~
5 ~~or a motor scooter in a certain manner that applies when a highway lacks sufficient~~
6 ~~width;~~ requiring a driver who of a motor vehicle that passes a bicycle, an EPAMD,
7 or a motor scooter in a certain manner in accordance with a certain provision of law
8 to pass at slow to a reasonable or prudent speed that is safe for existing weather,
9 road, and vehicular or pedestrian traffic conditions; prohibiting a driver ~~who of a~~
10 motor vehicle that passes a bicycle, an EPAMD, or a motor scooter in a certain
11 manner in accordance with a certain provision of law from endangering, impeding,
12 or interfering with the bicycle, EPAMD, or motor scooter, or any other traffic using
13 the highway; making a technical correction; and generally relating to rules of the
14 road for overtaking and passing bicycles, EPAMDs, and motor scooters.

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 21–1209
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2015 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Transportation**

2 21–1209.

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

4 (1) Exercise due care to avoid colliding with any bicycle, EPAMD, or motor
5 scooter being ridden by a person; and6 (2) (I) When overtaking a bicycle, an EPAMD, or a motor scooter, pass
7 safely at a distance of not less than 3 feet, unless, at the time:8 [(i)] 1. The bicycle, EPAMD, or motor scooter rider fails to operate
9 the vehicle in conformance with § 21–1205(a) of this subtitle (“Riding to right side of
10 roadway”) or § 21–1205.1(b) of this subtitle (“Roadway with bike lane [or shoulder] paved
11 to smooth surface”); **OR**12 [(ii)] 2. A passing clearance of less than 3 feet is caused solely by
13 the bicycle, EPAMD, or motor scooter rider failing to maintain a steady course~~;~~ or14 [(iii)] 3. The highway on which the vehicle is being driven is not
15 wide enough to lawfully pass the bicycle, EPAMD, or motor scooter at a distance of at least
16 3 feet~~;~~.17 (II) ~~A PERSON WHO~~ **THE DRIVER OF A MOTOR VEHICLE THAT**
18 **PASSES A BICYCLE, AN EPAMD, OR A MOTOR SCOOTER AT A DISTANCE OF LESS**
19 **THAN 3 FEET IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH:**20 1. ~~SHALL PASS AT SLOW TO~~ **A REASONABLE AND**
21 **PRUDENT SPEED THAT IS SAFE FOR EXISTING WEATHER, ROAD, AND VEHICULAR OR**
22 **PEDESTRIAN TRAFFIC CONDITIONS; AND**23 2. **MAY NOT ENDANGER, IMPEDE, OR INTERFERE WITH**
24 **THE BICYCLE, EPAMD, OR MOTOR SCOOTER, OR ANY OTHER TRAFFIC USING THE**
25 **HIGHWAY.**26 (b) A person may not throw any object at or in the direction of any person riding
27 a bicycle, an EPAMD, or a motor scooter.28 (c) A person may not open the door of any motor vehicle with intent to strike,
29 injure, or interfere with any person riding a bicycle, an EPAMD, or a motor scooter.30 (d) Unless otherwise specified in this title, the driver of a vehicle shall yield the
31 right-of-way to a person who is lawfully riding a bicycle, an EPAMD, or a motor scooter in
32 a designated bike lane or shoulder if the driver of the vehicle is about to enter or cross the
33 designated bike lane or shoulder.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.