

# SENATE BILL 979

R4, R5

7lr2631

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By: **Senator Edwards**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws – All-Terrain Vehicles and Snowmobiles**

3 FOR the purpose of prohibiting an individual from driving or attempting to drive an  
4 all-terrain vehicle or a snowmobile on portions of a highway in the State on which  
5 an all-terrain vehicle or a snowmobile is authorized unless the individual holds a  
6 driver's license or is exempt from certain licensing requirements; applying certain  
7 provisions of law relating to the operation of a snowmobile to the operation of an  
8 all-terrain vehicle; prohibiting a certain individual from operating an all-terrain  
9 vehicle or a snowmobile on certain property unless the individual is accompanied by  
10 a certain adult; authorizing a local authority in Garrett County to authorize a person  
11 to cross a highway in a certain manner on an all-terrain vehicle when operated  
12 under a certain speed; authorizing a local authority in Garrett County to authorize  
13 the operation of a snowmobile or an all-terrain vehicle on a certain portion of  
14 highway when operated under a certain speed; authorizing Garrett County to  
15 designate a certain portion of highway on which an all-terrain vehicle or a  
16 snowmobile may travel under a certain speed for certain purposes; altering the  
17 circumstances under which a local authority in Garrett County may authorize a  
18 snowmobile to travel on a highway; ~~authorizing each county and Baltimore City to~~  
19 ~~regulate the operation of all-terrain vehicles, require the all-terrain vehicle to be~~  
20 ~~registered, and impose a registration fee;~~ defining the term "all-terrain vehicles";  
21 making conforming changes; making a stylistic change; and generally relating to  
22 all-terrain vehicles and snowmobiles.

23 BY renumbering

24 Article – Transportation

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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 Section 11–103.3  
 2 to be Section 11–103.4  
 3 Annotated Code of Maryland  
 4 (2012 Replacement Volume and 2016 Supplement)

5 BY adding to  
 6 Article – Transportation  
 7 Section 11–103.3 and 21–1130  
 8 Annotated Code of Maryland  
 9 (2012 Replacement Volume and 2016 Supplement)

10 BY repealing and reenacting, with amendments,  
 11 Article – Transportation  
 12 Section 16–101(a), 21–104.1, and 25–102(a)(14), ~~and 25–102.1~~  
 13 Annotated Code of Maryland  
 14 (2012 Replacement Volume and 2016 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 16 That Section(s) 11–103.3 of Article – Transportation of the Annotated Code of Maryland be  
 17 renumbered to be Section(s) 11–103.4.

18 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 19 as follows:

### Article – Transportation

#### 21 11–103.3.

22 “ALL–TERRAIN VEHICLE” MEANS A MOTOR VEHICLE THAT:

- 23 (1) (I) IS DESIGNED FOR OFF–HIGHWAY USE;
- 24 (II) OPERATES ON AT LEAST THREE LOW–PRESSURE TIRES;
- 25 (III) HAS A SEAT OR SADDLE DESIGNED TO BE STRADDLED BY  
 26 THE OPERATOR;
- 27 (IV) HAS HANDLEBARS FOR STEERING;
- 28 (V) IS INTENDED BY THE MANUFACTURER TO BE OPERATED BY  
 29 A SINGLE OPERATOR; AND
- 30 (VI) MAY BE DESIGNED TO CARRY ONE PASSENGER; OR
- 31 (2) (I) IS DESIGNED FOR OFF–HIGHWAY USE;

1                   **(II) OPERATES ON FOUR OR MORE LOW-PRESSURE TIRES;**

2                   **(III) HAS A BENCH OR BUCKET-STYLE SEATING; AND**

3                   **(IV) HAS A STEERING WHEEL FOR STEERING.**

4 16-101.

5           (a)   **(1)** An individual may not drive or attempt to drive a motor vehicle on any  
6 highway in this State unless:

7                   **[(1)] (I)** The individual holds a driver's license issued under this title;

8                   **[(2)] (II)** The individual is expressly exempt from the licensing  
9 requirements of this title; or

10                   **[(3)] (III)** The individual otherwise is specifically authorized by this title to  
11 drive vehicles of the class that the individual is driving or attempting to drive.

12                   **(2) ON PORTIONS OF A HIGHWAY IN THE STATE WHERE DRIVING AN**  
13 **ALL-TERRAIN VEHICLE OR A SNOWMOBILE IS AUTHORIZED BY THIS ARTICLE, AN**  
14 **INDIVIDUAL MAY NOT DRIVE OR ATTEMPT TO DRIVE AN ALL-TERRAIN VEHICLE OR**  
15 **A SNOWMOBILE ON THE HIGHWAY UNLESS:**

16                               **(I) THE INDIVIDUAL HOLDS A DRIVER'S LICENSE ISSUED**  
17 **UNDER THIS TITLE; OR**

18                               **(II) THE INDIVIDUAL IS EXPRESSLY EXEMPT FROM THE**  
19 **LICENSING REQUIREMENTS OF THIS TITLE.**

20 21-104.1.

21           (a) Any person operating **AN ALL-TERRAIN VEHICLE OR** a snowmobile on any  
22 portion of a highway designated for **ALL-TERRAIN VEHICLE OR** snowmobile use under §  
23 25-102(a)(14) of this article has all the rights granted to and is subject to all the duties  
24 required of the driver of a vehicle by this title, except for those provisions of this title that  
25 by their very nature cannot apply.

26           (b) In Garrett County a person may not operate **AN ALL-TERRAIN VEHICLE OR**  
27 a snowmobile on a controlled access highway.

28           (c) Except as provided in subsection (b) of this section, in Garrett County a person  
29 may operate **AN ALL-TERRAIN VEHICLE OR** a snowmobile on a State highway when  
30 crossing **OR TRAVELING ON** the State highway [at a right angle] **IN ACCORDANCE WITH**  
31 **§ 25-102(A)(14) OF THIS ARTICLE.**

1 **21-1130.**

2 **AN INDIVIDUAL UNDER THE AGE OF 16 YEARS MAY NOT OPERATE AN**  
 3 **ALL-TERRAIN VEHICLE OR A SNOWMOBILE ON PUBLIC PROPERTY UNLESS THE**  
 4 **INDIVIDUAL IS ACCOMPANIED BY AN ADULT WHO HOLDS A VALID DRIVER'S LICENSE.**

5 **25-102.**

6 (a) The provisions of the Maryland Vehicle Law do not prevent a local authority,  
 7 in the reasonable exercise of its police power, from exercising the following powers as to  
 8 highways under its jurisdiction:

9 (14) (i) **1. [Except] SUBJECT TO ITEM 2 OF THIS ITEM, EXCEPT** in  
 10 **Garrett County, designating a certain portion of highways upon which snowmobiles may**  
 11 **travel for the sole purpose of gaining access to snowmobile trails[. However, only]; BUT**

12 **2. DESIGNATING ONLY** those highways which divide  
 13 **snowmobile trails and which would otherwise obstruct direct access between snowmobile**  
 14 **trails [may be so designated by the local authority]; and**

15 (ii) In Garrett County, [permitting] **AUTHORIZING** a person to  
 16 **[cross]:**

17 **1. CROSS** a highway on **AN ALL-TERRAIN VEHICLE OR** a  
 18 **snowmobile at a right angle[, and designating] AT A SPEED OF NOT MORE THAN 25**  
 19 **MILES PER HOUR;**

20 **2. OPERATE AN ALL-TERRAIN VEHICLE OR A**  
 21 **SNOWMOBILE ON NOT MORE THAN 2 MILES OF HIGHWAY AT A SPEED OF NOT MORE**  
 22 **THAN 25 MILES PER HOUR; AND**

23 **3. DESIGNATING** a certain portion of highways upon which  
 24 **ALL-TERRAIN VEHICLES AND** snowmobiles may travel **AT A SPEED OF NOT MORE THAN**  
 25 **25 MILES PER HOUR** for the sole purpose of gaining access to **[snowmobile trails]:**

26 **A. TRAILS ON WHICH THE OPERATION OF AN**  
 27 **ALL-TERRAIN VEHICLE OR A SNOWMOBILE IS AUTHORIZED;**

28 **B. FIELDS; OR**

29 **C. ANOTHER AREA WHERE THE OPERATION OF AN**  
 30 **ALL-TERRAIN VEHICLE OR A SNOWMOBILE IS AUTHORIZED;**

31 ~~25-102.1.~~

1           (a)   (1)   ~~In this section, “off the road motorcycle” means a motorcycle not~~  
2 ~~otherwise registered under this article.~~

3                   (2)   ~~“Off the road motorcycle” includes motorcycles designed for~~  
4 ~~off the road operation, motorcycles not otherwise eligible for registration under this~~  
5 ~~article, and motorcycles commonly referred to as “dirt bikes”.~~

6           (b)   ~~Each county and Baltimore City may regulate the operation of off the road~~  
7 ~~motorcycles AND ALL TERRAIN VEHICLES, require them to be registered, and impose a~~  
8 ~~registration fee for them.~~

9           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.