

Department of Legislative Services  
Maryland General Assembly  
2017 Session

FISCAL AND POLICY NOTE  
Enrolled - Revised

Senate Bill 979

(Senator Edwards)

Judicial Proceedings

Environment and Transportation

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Vehicle Laws - All-Terrain Vehicles and Snowmobiles

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This bill prohibits a person from driving or attempting to drive an all-terrain vehicle or a snowmobile on portions of a highway in the State where driving such vehicles is allowed unless the individual holds a driver's license or is expressly exempt from licensing requirements. The bill also makes conforming changes.

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Fiscal Summary

**State Effect:** Transportation Trust Fund expenditures increase by approximately \$10,000 in FY 2018 only in order to install signage. Enforcement can be handled with existing resources. Revenues are not likely materially affected, assuming relatively few violations.

**Local Effect:** Enforcement can be handled with existing resources, and expenditures and revenues are not likely affected.

**Small Business Effect:** Potential minimal.

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Analysis

**Bill Summary:** The bill defines "all-terrain vehicle" as a motor vehicle that (1) is designed for off-highway use; (2) operates on at least three low-pressure tires; (3) has a seat or saddle designed to be straddled by the operator; (4) has handlebars for steering; (5) is intended by the manufacturer to be operated by a single operator; and (6) may be designed to carry one passenger. In addition, the term also includes a vehicle that is designed for off-highway use that (1) operates on four or more low-pressure tires; (2) has a bench or bucket-style seating; and (3) has a steering wheel for steering.

By defining an all-terrain vehicle as a motor vehicle, the bill imposes on operators' duties associated with operating a motor vehicle, including the duty to hold a valid driver's license when operating the all-terrain vehicle on a highway, as authorized. In addition, the bill prohibits an individual younger than 16 from operating an all-terrain vehicle or a snowmobile on *public property* unless the individual is accompanied by an adult who holds a valid driver's license.

In Garrett County only, a local authority is authorized to allow a person to (1) cross a highway on an all-terrain vehicle or a snowmobile at a right angle at a speed of up to 25 miles per hour *or* (2) operate an all-terrain vehicle or a snowmobile on up to two miles of highway at a speed of up to 25 miles per hour. A local authority in Garrett County may also designate a certain portion of highways upon which all-terrain vehicles and snowmobiles may travel at a speed of up to 25 miles per hour for the sole purpose of gaining access to specified trails, fields, or other areas where operation of such vehicles is authorized.

**Current Law:** Any person operating a snowmobile on any portion of a highway designated for snowmobile use has all the rights granted to and is subject to all the duties required of the driver of a vehicle, except for provisions that by their very nature cannot apply. In Garrett County, a person may not operate a snowmobile on a controlled access highway; however, a person may operate a snowmobile on a State highway when crossing the highway at a right angle.

A local authority in Garrett County is authorized to allow a person to cross a highway on a snowmobile at a right angle and to designate a certain portion of highways upon which snowmobiles may travel for the sole purpose of gaining access to snowmobile trails.

A person convicted of operating a vehicle without a license is subject to a fine of up to \$500 and/or imprisonment for up to 60 days for a first offense. For a second or subsequent offense, the possible term of imprisonment increases to a maximum of one year. The fine may not be prepaid, and an offender must appear in court to answer the charge. If convicted, the violation results in the imposition of five points on the driver's license, and the offender must also undergo a mandatory Driver Improvement Program.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore City; Caroline and Montgomery counties; Department of Natural Resources; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** kb/ljm  
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