

Department of Legislative Services  
Maryland General Assembly  
2018 Session

FISCAL AND POLICY NOTE  
Third Reader

House Bill 722 (Allegany County Delegation)  
Environment and Transportation

Judicial Proceedings

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Allegany County - All-Terrain Vehicles and Snowmobiles

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This bill modifies the authorization for a person to operate an all-terrain vehicle or a snowmobile on specified highways in Allegany County to conform to the existing authorization for a person in Garrett County.

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Fiscal Summary

**State Effect:** 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

**Current Law:** Any person operating an all-terrain vehicle or a snowmobile on any portion of a highway designated for all-terrain vehicle or 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. Thus, an operator must hold a valid driver's license when operating the all-terrain vehicle or snowmobile on a highway, as authorized.

In all jurisdictions except Garrett County, a local authority, in the reasonable exercise of its police power, may designate a certain portion of highways upon which snowmobiles may travel for the *sole* purpose of gaining access to snowmobile trails but may only

designate those highways which divide snowmobile trails and would otherwise obstruct direct access between such trails.

In Garrett County, a person may not operate an all-terrain vehicle or a snowmobile on a controlled access highway; however, a person *may* operate an all-terrain vehicle or a snowmobile on a State highway when crossing or traveling on the State highway as authorized by a local authority. Specifically, a local authority in Garrett County may 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. The local authority 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 trails, fields, or other areas where operation of such vehicles is allowed.

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:** SB 644 (Senator Edwards) - Judicial Proceedings.

**Information Source(s):** Allegany County; Department of Natural Resources; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2018  
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