

HB0398/740012/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 398

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Bicycles” insert “, EPAMDs, or Motor Scooters”; in line 4, after “bicycle” insert “, an EPAMD, or a motor scooter”; in line 5, strike “law;” and substitute “law under certain circumstances; repealing a certain exception to the 3-foot clearance rule for a vehicle passing a bicycle, an EPAMD, or a motor scooter;”; in line 6, after “bicycles” insert “, EPAMDs, or motor scooters”; and in line 14, after “21-307” insert “and 21-1209(a)”.

AMENDMENT NO. 2

On page 3, in line 3, strike “**IN ACCORDANCE WITH § 21-305 OF THIS SUBTITLE, ON**” and substitute “**ON**”; in line 5, after “SAFE” insert “**AND LAWFUL**”; in the same line, after “BICYCLE” insert “, **AN EPAMD, OR A MOTOR SCOOTER**”; in line 6, after “DIRECTION” insert “**IF:**”

(I) THE VEHICLE IS DRIVEN IN ACCORDANCE WITH § 21-305 OF THIS SUBTITLE; AND

(II) THE DRIVER REASONABLY BELIEVES, BASED ON WEATHER, ROAD, AND VEHICULAR OR PEDESTRIAN TRAFFIC CONDITIONS, THAT THE ADJUSTMENT DOES NOT ENDANGER, IMPEDE, OR INTERFERE WITH ANOTHER VEHICLE”;

and after line 6, insert:

“21-1209.

(Over)

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

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

(2) When overtaking a bicycle, an EPAMD, or a motor scooter, pass safely at a distance of not less than 3 feet, unless, at the time:

(i) The bicycle, EPAMD, or motor scooter rider fails to operate the vehicle in conformance with § 21-1205(a) of this subtitle (“Riding to right side of roadway”) or § 21-1205.1(b) of this subtitle (“Roadway with bike lane or shoulder paved to smooth surface”); OR

(ii) A passing clearance of less than 3 feet is caused solely by the bicycle, EPAMD, or motor scooter rider failing to maintain a steady course]; or

(iii) The highway on which the vehicle is being driven is not wide enough to lawfully pass the bicycle, EPAMD, or motor scooter at a distance of at least 3 feet].”