HOUSE BILL 713


Introduced and read first time: January 31, 2022
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Vehicle Laws – Horse Riding – Helmet Requirement for Minors

FOR the purpose of prohibiting an adult from allowing a minor to ride a horse on certain property unless the minor is wearing a helmet that meets certain standards; and generally relating to helmet requirements and horse riding.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 21–104
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

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

Article – Transportation

21–104.

(a) Every person riding an animal or driving an animal–drawn vehicle on a roadway has all the rights granted to and is subject to all the duties required of the driver of a vehicle by this title, except for those provisions of this title that by their very nature cannot apply.

(b) (1) Except in Charles, Worcester, and St. Mary’s counties, or as provided in paragraph (2) of this subsection, a person may not ride an animal or drive an animal–drawn vehicle on:

(i) Any divided highway where the posted maximum speed limit is more than 35 miles per hour; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.
(ii) Any controlled access highway.

(2) In Anne Arundel County, a person may ride an animal on any part of a highway described in paragraph (1) of this subsection, other than on its roadway or shoulder.

(C)  

(1) IN THIS SUBSECTION, “HORSE” INCLUDES DONKEYS, MULES, AND PONIES.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS SUBSECTION APPLIES ONLY TO HORSE RIDING ON:

1. A HIGHWAY;

2. A HORSE–RIDING PATH; OR

3. ANY OTHER PROPERTY OPEN TO THE PUBLIC OR USED BY THE PUBLIC FOR PEDESTRIAN OR VEHICULAR TRAFFIC.

(II) THIS SUBSECTION DOES NOT APPLY TO A MINOR WHO IS:

1. PRACTICING FOR, RIDING TO OR FROM, OR COMPETING OR PERFORMING IN A SHOW OR EVENT WHERE HELMETS ARE NOT HISTORICALLY PART OF THE SHOW OR EVENT;

2. CROSSING A PUBLIC HIGHWAY THAT SEPARATES PRIVATELY OWNED LAND; OR

3. ENGAGED IN AN AGRICULTURAL PRACTICE OR PURSUIT.

(3) AN ADULT WHO IS PRESENT AND DIRECTLY SUPERVISING A MINOR MAY NOT ALLOW THE MINOR TO RIDE A HORSE UNLESS THE MINOR IS WEARING A PROPERLY SECURED HELMET THAT MEETS OR EXCEEDS THE STANDARDS OF THE AMERICAN SOCIETY OF TESTING AND MATERIALS FOR PROTECTIVE HEADGEAR USED IN EQUESTRIAN RIDING.

(4) A VIOLATION OF THIS SUBSECTION INVOLVING AN ADULT SUPERVISING MULTIPLE MINORS AT THE SAME TIME SHALL BE TREATED AS A SINGLE VIOLATION.

(5) A VIOLATION OF THIS SUBSECTION IS PRIMA FACIE EVIDENCE OF NEGLIGENCE.
(6) A person who is convicted of a violation of this subsection is subject to:

(i) For a first offense, a written warning that informs the offender of the requirements of this section;

(ii) For a second offense, a fine of $50; and

(iii) For a third or subsequent offense, a fine of $100.

(7) A police officer who charges an individual with a violation of this subsection shall provide the minor who is the subject of the violation with educational materials that provide information about the requirements of this subsection and proper helmet use while horseback riding.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.