

HOUSE BILL 1143

R5

2lr2896
CF SB 969

By: **Allegany County Delegation and Garrett County Delegation**

Introduced and read first time: February 11, 2022

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2022

CHAPTER _____

1 AN ACT concerning

2 **Allegany County and Garrett County – All-Terrain Vehicles and Snowmobiles**

3 FOR the purpose of expanding the definition of all-terrain vehicle in provisions governing
4 the use of all-terrain vehicles and snowmobiles in Allegany County and Garrett
5 County to include off-highway motorcycles; expanding the area of a highway on
6 which Allegany County and Garrett County may authorize all-terrain vehicles and
7 snowmobiles to operate; and generally relating to all-terrain vehicles and
8 snowmobiles in Allegany County and Garrett County.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–104.1 and 25–102(a)(14)
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2021 Supplement)

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

16 **Article – Transportation**

17 21–104.1.

18 (a) **IN THIS SECTION, “ALL-TERRAIN VEHICLE” INCLUDES AN**
19 **OFF-HIGHWAY MOTORCYCLE.**

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 **(B)** Any person operating an all-terrain vehicle or a snowmobile on any portion of
 2 a highway designated for all-terrain vehicle or snowmobile use under § 25-102(a)(14) of
 3 this article has all the rights granted to and is subject to all the duties required of the driver
 4 of a vehicle by this title, except for those provisions of this title that by their very nature
 5 cannot apply.

6 **[(b)] (C)** In Allegany County and Garrett County a person may not operate an
 7 all-terrain vehicle or a snowmobile on a controlled access highway.

8 **[(c)] (D)** Except as provided in subsection **[(b)] (C)** of this section, in Allegany
 9 County and Garrett County a person may operate an all-terrain vehicle or a snowmobile
 10 on a State highway when crossing or traveling on the State highway in accordance with §
 11 25-102(a)(14) of this article.

12 25-102.

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

16 (14) (i) **IN THIS PARAGRAPH, “ALL-TERRAIN VEHICLE” INCLUDES**
 17 **AN OFF-HIGHWAY MOTORCYCLE.**

18 **(II)** 1. Subject to item 2 of this item, except in Allegany County
 19 and Garrett County, designating a certain portion of highways upon which snowmobiles
 20 may travel for the sole purpose of gaining access to snowmobile trails; but

21 2. Designating only those highways which divide snowmobile
 22 trails and which would otherwise obstruct direct access between snowmobile trails; and

23 **[(ii)] (III)** In Allegany County and Garrett County:

24 1. Authorizing a person to:

25 A. Cross a highway on an all-terrain vehicle or a snowmobile
 26 at a right angle at a speed of not more than 25 miles per hour; or

27 B. Operate an all-terrain vehicle or a snowmobile on not
 28 more than **[2] 5** miles of highway at a speed of not more than 25 miles per hour; and

29 2. Designating a certain portion of highways upon which
 30 all-terrain vehicles and snowmobiles may travel at a speed of not more than 25 miles per
 31 hour for the sole purpose of gaining access to:

32 A. Trails on which the operation of an all-terrain vehicle or
 33 a snowmobile is authorized;

1 B. Fields; or

2 C. Another area where the operation of an all-terrain vehicle
3 or a snowmobile is authorized;

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.