

HOUSE BILL 1143

R5

2lr2896
CF 2lr3238

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

Introduced and read first time: February 11, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

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.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **[(c)] (D)** Except as provided in subsection **[(b)] (C)** of this section, in Allegany
4 County and Garrett County a person may operate an all-terrain vehicle or a snowmobile
5 on a State highway when crossing or traveling on the State highway in accordance with §
6 25-102(a)(14) of this article.

7 25-102.

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

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

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

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

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

19 1. Authorizing a person to:

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

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

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

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

29 B. Fields; or

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

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