

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 519 (Delegates D. Jones and Bagnall)
Environment and Transportation

Judicial Proceedings

Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements

This bill authorizes a person to ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area *unless prohibited by* local ordinance. (Under current law, a person may ride these vehicles on sidewalks or sidewalk areas only *where allowed by* local ordinance.) When riding a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or through a crosswalk, a person must yield the right-of-way to a pedestrian or an individual riding on an electric personal assistive mobility device (EPAMD).

Fiscal Summary

State Effect: Potential minimal decrease in general fund revenues to the extent fewer citations are issued as a result of the bill. Enforcement can be handled with existing resources.

Local Effect: Local governments can review and update local ordinances as needed and otherwise handle enforcement with existing resources. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law:

Definitions

For purposes of the Maryland Vehicle Law, “bicycle” means a vehicle that (1) is designed to be operated by human power; (2) has two or three wheels, with one being more than 14 inches in diameter; and (3) has a drive mechanism other than pedals directly attached to

a drive wheel. In general, the term includes an electric bicycle, a moped, and an electric low-speed scooter. However, a moped is not considered a bicycle with respect to provisions of the vehicle law relating to driving on sidewalks.

“Play vehicle” means a vehicle that has two or more wheels, is propelled only by human power, and is not a bicycle or a wheelchair. A “unicycle” is not defined for purposes of the vehicle law.

“EPAMD” means a pedestrian device that (1) has two nontandem wheels; (2) is self-balancing; (3) is powered by an electric propulsion system; (4) has a maximum speed capability of 15 miles per hour; and (5) is designed to transport one person.

Driving on Sidewalks

Subject to specified exceptions, a person may not drive a vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary driveway. *Where allowed by local ordinance*, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area. In a place where a person may ride a bicycle on a sidewalk or sidewalk area, a person may also ride a bicycle from the curb or edge of the roadway in or through a crosswalk to the opposite curb or edge of the roadway.

A violation of the above restrictions is a misdemeanor subject to a maximum fine of \$500. The prepayment penalty established by the District Court is \$70, and the Motor Vehicle Administration (MVA) must assess one point against the driver’s license. If the violation contributes to an accident, the prepayment penalty is \$110, and MVA must assess three points against the driver’s license.

A person who is lawfully operating a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or through a crosswalk generally has the rights and restrictions applicable to pedestrians under the vehicle law. At an intersection, a person operating a bicycle, play vehicle, or unicycle is subject to all traffic control signals, as specified.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1153 of 2022.

Cross File: None.

Information Source(s): Harford County; cities of College Park and Frostburg; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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