

HOUSE BILL 102

R5
HB 1207/23 – ENT

(PRE-FILED)

4r1165
CF SB 730

By: **Delegate Miller**

Requested: October 25, 2023

Introduced and read first time: January 10, 2024

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: February 8, 2024

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Motorcycles – Passenger Restrictions**

3 FOR the purpose of requiring a rear passenger on a motorcycle to be able to firmly position
4 the passenger's feet on the footrests of the motorcycle, subject to a certain exception;
5 and generally relating to passenger restrictions for motorcycles.

6 BY repealing and reenacting, with amendments,
7 Article – Transportation
8 Section 21–1302
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2023 Supplement)

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

13 **Article – Transportation**

14 21–1302.

15 (a) The operator of a motorcycle may ride the motorcycle only on the permanent
16 and regular seat attached to it.

17 (b) The operator of a motorcycle may not carry any other person unless the
18 motorcycle is designed to carry more than one person, in which event a passenger may ride

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 on the permanent and regular seat, if designed for two persons, or on another seat firmly
2 attached to the motorcycle at the rear or side of the operator.

3 (c) (1) A person other than the operator of a motorcycle may not ride on a
4 motorcycle unless the motorcycle is designed to carry more than one person, in which event
5 a passenger may ride on the permanent and regular seat, if designed for [2] TWO persons,
6 or on another seat firmly attached to the motorcycle at the rear or side of the operator.

7 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
8 PARAGRAPH, A PASSENGER MAY NOT RIDE ON A MOTORCYCLE ON A SEAT AT THE
9 REAR OF THE OPERATOR UNLESS THE PASSENGER IS ABLE TO POSITION THE
10 PASSENGER'S FEET FIRMLY ON THE FOOTRESTS WHILE SEATED.

11 (II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY
12 TO A PASSENGER ON A MOTORCYCLE WHO IS UNABLE TO POSITION THE
13 PASSENGER'S FEET FIRMLY ON THE FOOTRESTS DUE TO A PERMANENT PHYSICAL
14 DISABILITY.

15 (d) A person may ride on a motorcycle operated under a Class M driver's license
16 only while sitting astride the seat, facing forward, with one leg on each side of the
17 motorcycle.

18 (e) A person may not operate a motorcycle while carrying any package, bundle,
19 or other article that prevents the person from keeping both hands on the steering
20 mechanism.

21 (f) The operator of a motorcycle may not carry any person in a position that
22 interferes with the operation or control of the motorcycle or the view of the operator.

23 (g) A person other than the operator of a motorcycle may not ride in a position
24 that interferes with the operation or control of the motorcycle or the view of the operator.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.