

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 912

(Charles County Senators)

Judicial Proceedings

Charles County – Off-Highway Recreational Vehicles – Regulation and Enforcement

This bill authorizes Charles County to (1) regulate the operation of off-highway recreational vehicles (OHRVs); (2) require owners of OHRVs to register them with the county and pay an associated registration fee; (3) impose age restrictions on the operation of OHRVs; and (4) authorize impoundment of OHRVs that are the subject of alleged violations of §§ 6-404 or 6-405 of the Criminal Law Article or Title 21, Subtitle 9 of the Transportation Article.

Fiscal Summary

State Effect: The bill does not directly affect State finances or operations.

Local Effect: Because the bill is *authorizing* in nature, it does not directly affect Charles County finances or operations. However, if Charles County *chooses* to exercise its authority to require owners of OHRVs to register them with the county and pay associated registration fees, county revenues increase minimally. Local expenditures are not materially affected.

Small Business Effect: None.

Analysis

Current Law: An “OHRV” is (1) a motor-assisted or motor-driven vehicle commonly known as an all-terrain vehicle or a side-by-side utility vehicle, as specified; (2) a motorcycle designed for off-highway operation that is not eligible for registration as a Class D (motorcycle) vehicle, commonly known as a dirt bike; or (3) a snowmobile. An

OHRV does not include a farm vehicle, as specified; any vehicle used on residential property for landscaping, gardening, or lawn care; or an electric bicycle. A “vehicle” means any device in, on, or by which any individual or property is or might be transported or towed on a highway. An electronic personal assistive mobility device and a personal delivery device are not considered vehicles, but OHRVs and low-speed vehicles are specifically included under this definition.

Requirements Pertaining to Off-highway Recreational Vehicles

An OHRV purchased on or after October 1, 2010, must be titled with the Motor Vehicle Administration (MVA), and the OHRV’s owner must pay a vehicle excise tax on its fair market value. The fair market value for a new or used OHRV sold by a licensed dealer is the total purchase price, as certified by the dealer; for a used OHRV sold by a person other than a licensed dealer, it is the greater of the total purchase price or \$320.

The Secretary of Natural Resources is required to promulgate rules and regulations concerning the operation of off-road vehicles (ORVs), including OHRVs, on Department of Natural Resources (DNR) lands. A person operating an ORV must (1) have a valid driver’s license; (2) hold a Maryland learner’s permit and be accompanied by a licensed driver; or (3) be age 12 or older and accompanied by a parent or guardian who holds a valid driver’s license. An ORV must be registered annually with DNR and display a registration sticker in accordance with specified requirements or with MVA as a licensed motor vehicle for on-road use.

Sections 6-404 and 6-405 of the Criminal Law Article

Except as specified, § 6-404 of the Criminal Law Article prohibits a person from using a vehicle or ORV on private property unless the person has, in their possession, the written permission of the owner or tenant of the private property. Under § 6-405 of the Criminal Law Article, a person may not use an ORV on property known by the person to be owned or leased by the State or a political subdivision, except as otherwise allowed by law. Violators are guilty of a misdemeanor and on conviction are subject to imprisonment for up to 90 days and/or a \$500 maximum fine.

Title 21, Subtitle 9 of the Transportation Article

Title 21, Subtitle 9 of the Transportation Article prohibits a person from engaging in any of the following: (1) reckless driving; (2) negligent driving; (3) aggressive driving; (4) driving while under the influence of alcohol or alcohol *per se*; (5) driving while impaired by alcohol, a drug, any combination of drugs, or any combination of drugs and alcohol, or a controlled dangerous substance; (6) driving after an arrest for a violation of § 21-902 (drunk or drugged driving); (7) consuming an alcoholic beverage, or smoking or

consuming cannabis, in a passenger area of a motor vehicle on a highway; and (8) fleeing or eluding a police officer.

Local Fiscal Effect: The bill is *authorizing* in nature. It does not *require* Charles County to impose registration requirements and fees on OHRV owners or otherwise regulate the operation of OHRVs. Nonetheless, if the county *chooses* to exercise the authority granted to it under the bill, county revenues increase minimally as a result of the imposition and collection of registration fees from OHRV owners. This estimate assumes that any costs associated with regulating OHRVs do not materially affect Charles County expenditures.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 1283 (Charles County Delegation) - Environment and Transportation.

Information Source(s): Charles County; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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