

# **MCPA-MSA\_HB 972-Motor Vehicles Off-Highway Vehicle**

Uploaded by: Andrea Mansfield

Position: FAV



# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

TO: The Honorable Marc Korman, Chair and  
Members of the Environment and Transportation Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee  
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 29, 2024

RE: **HB 972 – Motor Vehicles – Off-Highway Vehicles – Clarifications and Revisions**

POSITION: SUPPORT

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **SUPPORT HB 972**. This bill clarifies and harmonizes certain provisions of law governing off-highway recreational vehicles and other similar off-highway motor vehicles.

Across the state off-road motorcycles, commonly referred to as dirt bikes or minibikes, and all-terrain vehicles have wreaked havoc on local roads. Individuals with these vehicles often gather in large groups, taking over the roads and putting pedestrians and other drivers in danger. HB 972 requires owners of certain off-highway vehicles to obtain a motor vehicle certificate of title and requires motor vehicle dealers to provide electronic motor vehicle title services. The bill authorizes local jurisdictions to impose further regulations, register or permit, and charge registration fees for off-highway motor vehicles. Local jurisdictions are also able to enforce Maryland Vehicle Law and enact and implement local legislation governing vehicles suspected to be in violation of such law as a result of this bill.

Irresponsibly driven off-road motorcycles are a danger to the community. Local governments and their law enforcement agencies deserve the authority to manage them for the safety of both drivers and pedestrians. For these reasons, MCPA and MSA **SUPPORT HB 972** and urges a **FAVORABLE** Committee report.

**HB0972-ET\_MACo\_SUP.pdf**

Uploaded by: Dominic Butchko

Position: FAV



**MARYLAND**  
*Association of*  
**COUNTIES**

## House Bill 972

### *Motor Vehicles - Off-Highway Vehicles - Clarifications and Revisions*

MACo Position: **SUPPORT**

To: Environment & Transportation Committee

Date: February 29, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 972. This bill enables counties to establish speed limits for off-highway vehicles on county roadways.

Off-highway vehicles are commonly associated with outdoor recreation in mountainous or rural environments and occupy an odd nexus between a traditional motor vehicle and lesser recreational devices. Increasingly, off-highway vehicles are being used in suburban and urban environments, both out of the scope of intended use and in some cases, to the detriment of the surrounding community. HB 972 seeks to clarify state and local authority by explicitly stating that both levels of government have the ability to regulate the speed of these vehicles on state and county highways.

This bill is a commonsense measure aimed at protecting Marylanders. For this reason, MACo urges the Committee to give HB 972 a **FAVORABLE** report.

**HB972 Sheriff ltr of support.pdf**

Uploaded by: Misty Good

Position: FAV



*Troy D. Berry*  
Sheriff

# Office of the Sheriff

Charles County, Maryland  
Headquarters  
6915 Crain Hwy - P.O. Box 189  
La Plata, Maryland 20646-0189  
301-609-6400



An Internationally  
Accredited Agency

February 29, 2024

The Honorable Marc Korman  
Chair, Environment and Transportation Committee

The Honorable Regina T. Boyce  
Vice-Chair, Environment and Transportation Committee

Honorable Members of the Environment and Transportation Committee

RE: HB 972: Off-Highway Vehicles – Clarifications and Revisions

Dear Chairman Brave,

The Charles County Sheriff's Office supports HB 972, title Motor Vehicles – Off-Highway Vehicles – Clarifications and Revisions.

In recent years, Charles County has seen frequent and increasing misuse of off-road vehicles such as dirt bikes and all-terrain vehicles. Our county has seen individuals engaged in reckless driving behavior on public roads – weaving in and out of traffic, “popping wheelies,” obstructing traffic, and generally placing our citizens in fear.

From 2019 through 2023, the Charles County Sheriff's Office handled **4,861** calls related to ATV's and dirt bikes, including **785** in 2023 alone. Despite generally cold weather, the Sheriff's Office had **43** calls in January, 2024. Most of those calls (562 in 2023) related to the operation of off-road vehicles on public highways. As spring returns to the area, we expect to continue to have to respond to this problem.

Apprehending the individuals involved in this behavior poses challenges. Maryland law prohibits unregistered motor vehicles, such as all-terrain vehicles, from being operated on a highway. Despite that law, the Sheriff's Office has seen a growing trend of individuals operating off-road vehicles on our public

roads in reckless and dangerous manners. These individuals often elude or attempt to elude police.

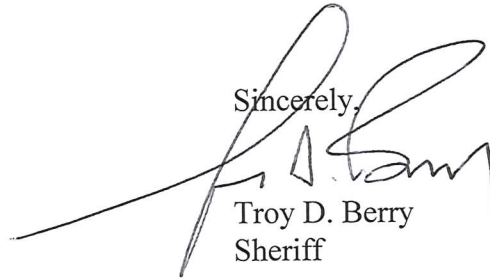
When officers are able to catch the individuals in the act, the vehicle they used may be towed to a private facility. In the absence of regulations allowing for the seizure of these vehicles, the owners are able to quickly recover the vehicle and officers repeatedly encounter the same individuals on the same vehicles engaged in the same behavior.

HB 972 will allow local jurisdictions to create an impoundment process for off-highway vehicles used in violation of Maryland's Vehicle Law. The best and most efficient way to deter this dangerous behavior is to take away, even temporarily, the instrument used for the behavior. Local jurisdictions will have the ability to tailor their impoundment rules in a way that makes sense for that jurisdiction.

HB 972 is an important step, but does not go far enough. The Sheriff's Office frequently receives complaints of individuals driving off-road vehicles on private and public property without permission. Not only does this behavior violate the Criminal Law, it also causes extensive property damage. In 2023 alone, the Sheriff's Office responded to **69** calls of the illegal use of off-road vehicles on private or public property. HB 972 can be an even more important tool if local jurisdictions are permitted to impound off-road vehicles that are used to violate §6-404 and §6-405 of the Criminal Law Article, in addition to violations of the Vehicle Law.

For these reasons, the Charles County Sheriff's Office requests a favorable report on HB 972, and respectfully asks that consideration be given to expanding its scope. Thank you for the attention you are providing to this important legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Troy D. Berry', is written over the typed name and title.

Troy D. Berry  
Sheriff

## **HB972\_Boyce\_FAV**

Uploaded by: Regina Boyce

Position: FAV



REGINA T. BOYCE  
Legislative District 43A  
Baltimore City

—  
Vice Chair  
Environment and  
Transportation Committee

Subcommittees  
Housing and Real Property

Chair  
Natural Resources, Agriculture  
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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 29, 2024

Good afternoon Chair Korman, and Members of the Environment and Transportation Committee.

For the record, I am Delegate Regina T. Boyce presenting **HB972 - Motor Vehicles - Off-Highway Vehicles - Clarifications and Revisions.**

HB972 provides clarity and consistency in regulations governing off-highway recreational vehicles. The bill creates consistency of "Off-Highway Recreational Vehicle (OHRV)" throughout the transportation article, and defines the four types of OHRV's. The use of consistent terms and definitions ensures consistency in interpretation and application across the state.

One of the key changes in HB972 is highlighting the requirement of all OHRV's to be titled with the Motor Vehicle Administration (MVA), and mandates OHRV dealers to electronically title the OHRV at the time of purchase or contract with an entity that provides electronic titling services. This ensures that all OHRV's adhere to standard titling requirements. This modernizes the titling process and improves efficiency for both dealers and buyers.

HB972 also grants local jurisdictions the authority to regulate the operation of OHRV's within their jurisdiction, and give authorization to enforce Maryland Vehicle Law for violations involving off-highway recreational vehicles on highways within their jurisdiction. This allows for more localized control and enforcement of regulations based on specific community needs and conditions. Additionally, local jurisdictions can enact legislation governing the impoundment and release of OHRV's suspected of being involved in violations.

Overall, the bill emphasizes modernization, efficiency, and improved regulation of off-highway vehicles while authorizing local control and clarity in legal frameworks.

I thank the Committee for their time and consideration for support of HB972.

Sincerely,

A handwritten signature in blue ink that reads "Regina T. Boyce".

Regina T. Boyce

**HB0972 - Kyler.pdf**

Uploaded by: KEN KYLER

Position: FWA



Non-Profit 501(c)(3) tax-exempt organization  
membership@mdohvalliance.org

Feb 29, 2024

## HB0972: Motor Vehicles - Off-Highway Vehicles - Clarifications and Revisions

My name is Ken Kyler and I am the Treasurer of the Maryland Off-Highway Vehicle Alliance (MDOHVA). The MDOHVA is an all volunteer Maryland non-profit that advocates for sustainable public and private ORV recreation areas; for responsible and safe OHV recreation; and to ensure quality opportunities are readily available to all who wish to participate responsibly.

We support the intent of HB0972 but have some concerns. We would also ask that section 25-102.1.(3)(I) be modified and changed from "That is Suspected of" to "of an individual apprehended or observed by a Law Enforcement Official".

We have heard from our members and other OHV enthusiasts of situations where neighbors who have an anti-motorized recreation bias will take advantage of the law as drafted. It would be far too easy for an upset neighbor to "suspect" someone lawfully using an OHV merely for harassment. This change would make it so that a vehicle may only be impounded when a Law Enforcement Official observes illegal activity.

Thank you for the opportunity to testify today and we look forward to your support of this bill with the recommended change.

Ken Kyler  
Treasurer, MDOHVA

**HB 972. Letter of Support w Amendment .pdf**

Uploaded by: Reuben Collins

Position: FWA



Charles County Government

**CHARLES COUNTY COMMISSIONERS**

Reuben B. Collins, II, Esq., *President*  
Ralph E. Patterson, II, M.A., *Vice President*  
Gilbert O. Bowling, III  
Thomasina O. Coates, M.S.  
Amanda M. Stewart, M.Ed.

**Mark Belton**  
County Administrator

February 29, 2024

Bill: HB 972 – Motor Vehicles - Off-Highway Vehicles - Clarifications and Revisions  
Committee: House – Environment and Transportation  
Position: FAVORABLE WITH AMENDMENTS

Dear Chairman Korman, Vice Chairwoman Boyce, and Members:

On behalf of the Charles County Commissioners, this letter is to express the support of the Board for HB 972— Motor Vehicles - Off-Highway Vehicles - Clarifications and Revisions, as request amendment to the bill as herein described.

Charles County has experienced a significant increase in complaints involving the operation of off-road vehicles on our public roads in a reckless and dangerous manner, potentially endangering the lives of the operators and bystanders. Additionally, operators often trespass on private property.

While these vehicles are already illegal for use on public roadways and private property without the permission of the owner, violators have not been adequately deterred, and often times reclaim their vehicles and resume the prohibited activity in short order. Off-road motorcycles and all-terrain vehicles, when operated illegally, are a threat to other motor vehicles and pedestrians alike. For this reason, we support HB 972 as a positive step by the General Assembly to curtail this increasingly common problem.

HB 972 is limited to violations of “the Maryland Vehicle Law.” In addition to witnessing reckless behavior on our highways, Charles County has also experienced individuals driving off-road vehicles on public and private property and causing damage. These acts are violations of §6-404 and §6-405 of the Criminal Law Article and are not covered by HB 972 as currently written. We therefore request that HB 972 be amended to include applicability to violations of §6-404 and §6-405 of the Criminal Law Article.

We appreciate the opportunity to provide our support and request for amendment to HB 972.

Sincerely,

A blue ink signature of Reuben B. Collins, II, Esq., consisting of stylized initials and a surname.

Reuben B. Collins, II, Esq., President

cc: Charles County Delegation

# **HB972 Comments JR.pdf**

Uploaded by: James Ratino

Position: UNF

My name is James Ratino and I am the President of the Maryland Off-highway Vehicle Alliance. AS the Bill is currently written we can no support the Bill without the outlined below changes.

Please change the language from "off-highway motorbike" to "off-highway motorcycle." This is consistent with national standards set by the Environmental Protection Agency (EPA). See (<https://www.epa.gov/ve-certification/highway-motorcycles-all-terrain-vehicles-and-utility-vehicles-family-naming>). We feel strongly that Federal and State language regarding OHV terminology should be identical.

We would also ask that section 25–102.1.(3)(I) be modified and changed from "That is Suspected of," to "an individual apprehended or observed by a Law Enforcement Official,".

We have heard from our members and other OHV enthusiasts of situations where neighbors who have an anti-motorized recreation bias will take advantage of the law as drafted. It would be far too easy for an upset neighbor to "suspect" someone of unlawfully using an OHV merely for harassment. Getting vehicles out of impound is not cheap. This change would make it so that if someone is caught doing the activity or later convicted through other means, that their vehicle could be impounded.

# **HB0972 - MVA - Off-Highway Vehicles - Clarificatio**

Uploaded by: Patricia Westervelt

Position: INFO



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February 29, 2024

The Honorable Marc Korman  
Chair, House Environment and Transportation Committee  
251 House Office Building  
Annapolis MD 21401

***RE: Letter of Information – House Bill 972 – Motor Vehicles - Off-Highway Vehicles - Clarifications and Revisions***

Dear Chair Korman and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following information on House Bill 972 for the Committee’s consideration.

House Bill 972 would require all “off-highway motorbikes” in Maryland to be titled with the Motor Vehicle Administration (MVA) regardless of the year they were manufactured and any dealer of such vehicles to provide titling services to buyers. It also adds a number of enforcement provisions and restrictions around the operations of such vehicles along with authorization to local jurisdictions for enforcement of Maryland vehicle law around their operations and to impound vehicles for violating operating laws.

Currently, Maryland law requires off-road vehicles (ORV) to be titled, including motorbikes, or more commonly known as “dirt bikes.” From Fiscal Year (FY) 2022 to date in FY 24, the MVA has issued 27,828 titles for all off-road vehicles currently eligible for titles. The MVA issues a decal to applicants to place on the ORV to indicate the title; decals include the title number which can be looked up by certain individuals, such as law enforcement, who are provided access to MVA’s vehicle database records just like a motor vehicle’s title number.

When an ORV is sold by the original owner, the new buyer is responsible for filing a title application with the MVA. While exact numbers are not available, it is estimated that a vast majority of these sales tend to be via private sales rather than via a retail store and the new buyer is not necessarily aware that they are required to title the ORV, nor is there a viable means for the previous owner to cancel a title in their name with the MVA unless the new owner obtains a title once purchased. In addition, many dirt bikes and other ORVs are sold by large chain stores that do not provide titling services or advise buyers of these requirements. As these stores are not licensed dealerships the way a vehicle dealer is, the MVA has no means to audit their sales and ensure compliance with requirements for titling services with purchases. House Bill 972 will work to rectify the lack of mandatory titling services present with retailers in Maryland, but compliance with private sales of used ORVs, including dirt bikes, will remain unresolved due to the nature of private sales. Keeping ownership information up to date and invalidating titles after private sale to new owners will continue to be challenging.

The Honorable Marc Korman  
Page Two

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating House Bill 972.

Respectfully submitted,

Christine E. Nizer  
Administrator  
Maryland Motor Vehicle Administration  
410-787-7830

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090