



ABATE OF MARYLAND, INC.

Dedicated to Freedom of the Road & Responsible Motorcycle Legislation Since 1974

To: The Honorable William C. Smith, Jr., Chairman and Members of the Judicial Proceedings Committee

From: Ken Eaton, Director, Executive Director, ABATE of Maryland, Inc.

Date: March 2, 2026

Re: **SB914** - Causing Serious Injury or Death of Vulnerable Individual

Position: **FAVORABLE: SUPPORT**

ABATE of Maryland, Inc. represents the owners of over 100,000 on road motorcycles that are registered in Maryland. We are a state motorcycle rights organization that brings together the voices of independent riders, clubs, riding organizations, etc. We have chapters throughout the state, and our members include a diverse cross-section of motorcycle riders in Maryland. We cover the mountains to the ocean and everywhere in-between. Our members and friends include people of every race. We have junior members that hope to ride the roads alongside us one day. We all dedicate our personal time and money to fighting for motorcyclists' rights.

ABATE of Maryland, Inc. **SUPPORTS SB914** - Causing Serious Injury or Death of Vulnerable Individuals. This bill seeks to remove a person riding a motorcycle from the list of roadway users. The listed users defined as "Vulnerable individuals" are as follows:

- A Pedestrian

And any of the following: an individual who is lawfully operating or riding any of the following on a highway, shoulder, crosswalk, or sidewalk:

- A Bicycle
- A Farm Tractor or Farm Equipment
- A Play Vehicle
- A Motor Scooter
- A Motorcycle
- An Animal-Drawn Vehicle
- An EPAMD
- A Wheelchair

Motorcyclists are **motorists** that are licensed, insured, and their vehicles are registered to be on the roadway. The rest of the users are not. As motorcyclists, we do not feel that we fit the intent of this definition. At the time this definition was passed in Maryland (2021), ABATE had already been working for at least 18 years to adjust the penalties for drivers that violated the right-of-way of a motorcyclist. When SB293 (2021) passed, it provided a "must appear" provision, indicating that: "an individual may not cause the serious physical injury or death of a vulnerable individual as a result of the individual operating a motor vehicle." At that time, it was a step towards our goal of a "must appear" requirement for anyone causing the serious physical injury or death or ANY roadway user, motorcyclists and motorists alike.

In 2025, SB590 Motor Vehicles - Reckless, Negligent, and Aggressive Driving (Sergeant Patrick Kepp Act) was passed. This requires that a person charged with negligent driving (*if THE PERSON drives a motor vehicle in a careless or imprudent manner that endangers any property or the life or person of any*

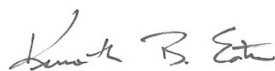
individual) be required to make an appearance in court. This being passed into law no longer requires motorcyclists to be defined as “vulnerable individuals.”

So now, in 2026, we are seeking to remove motorcyclists from the “vulnerable individuals” or “vulnerable roadway users” (VRU) definition in Maryland. This is based upon several factors:

- **Maryland Department of Transportation, State Highway Administration:** Maryland’s Vulnerable Road User Safety Assessment, as updated September 10, 2025; Establishes that a “Vulnerable Road User” is someone walking, cycling or rolling. This document supplements the Pedestrian Safety Action Plan, as Appendix C to the Strategic Highway Safety Plan (SHSP). MDOT clearly considers VRU’s as *non-motorists*.
- **35 states + DC** do not recognize motorcyclists as VRU's. Most of these states limit the definition to pedestrians and bicyclists
- **Federal definition:** A Vulnerable Road User (VRU) is a non-motorist with a Fatality Analysis Reporting System (FARS) person attribute code for pedestrian, bicyclist, other cyclist, and person on personal conveyance or an injured person that is, or is equivalent to, a pedestrian or pedalcyclist as defined in the ANSI D16.1-2007 (see 23 U.S.C. 148(a)(15) and 23 CFR 490.205) • A VRU may include people walking, biking, or rolling • Includes a highway worker on foot in a work zone, given they are considered a pedestrian
- **Pennsylvania definition:** A VRU is a non-motorist with a fatality analysis reporting system (FARS) person attribute code for pedestrian, bicyclist, other cyclist, and person on personal conveyance or an injured person that is, or is equivalent to, a pedestrian or pedalcyclist as defined in the ANSI D16.1-2007. (See 23 U.S.C. 148(a)(15) and 23 CFR 490.205). A VRU may be someone who is walking, biking, rolling, or using a mobility device, such as a wheelchair. (Unlike some definitions, VRUs for the purpose of this report do not include motorcyclists, drivers of horses and buggies, or riders of electric bikes or scooters.) For the sake of brevity in this report, however, VRUs will be referred to primarily as pedestrians and cyclists. VRUs are particularly susceptible to being killed or injured in a crash, and they account for a growing share of all transportation fatalities, both in Pennsylvania and throughout the U.S.
- **Virginia definition:** Vulnerable Road users are people who travel on roads without operating a motor vehicle. This includes bicyclists, pedestrians, wheelchair users, and other non-motorists. In 2020, Virginia passed the Vulnerable Road Use Law, increasing traffic penalties from a traffic infraction to a Class 1 misdemeanor for careless or distracted driving that seriously injures or kills vulnerable road users.

Based upon recently passed legislation in Maryland requiring a “must appear” for negligent driving, the federal and other nearby state definitions of vulnerable individual / vulnerable roadway users, and the MDOT/SHA definition, we respectfully request that the Judicial Proceedings committee provide a favorable report on **SB914 - Causing Serious Injury or Death of Vulnerable Individual**.

Thank you!



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