

HOUSE BILL 461

R5

0lr0370
CF SB 51

By: **Delegates Cardin, Bobo, Carr, Feldman, Hammen, Kaiser, Morhaim, and Stein**

Introduced and read first time: January 29, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 3, 2010

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Bicycles, EPAMDs, and Motor Scooters – Rules of the Road**

3 FOR the purpose of requiring a driver of a vehicle, when overtaking a bicycle, an
4 EPAMD, or a motor scooter, to pass safely at a certain distance, except under
5 certain circumstances; requiring a driver of a vehicle to yield the right-of-way
6 to a person who is riding a bicycle, an EPAMD, or a motor scooter in a
7 designated bike lane or shoulder under certain circumstances; and generally
8 relating to the rules of the road for bicycles, EPAMDs, and motor scooters.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–1209
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2009 Supplement)

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

16 **Article – Transportation**

17 21–1209.

18 (a) Notwithstanding any other provision of this title, the driver of a vehicle
19 shall **[exercise]**:

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 **(1) EXERCISE** due care to avoid colliding with any bicycle, EPAMD, or
2 motor scooter being ridden by a person; **AND**

3 **(2) WHEN OVERTAKING A BICYCLE, AN EPAMD, OR A MOTOR**
4 **SCOOTER, PASS SAFELY AT A DISTANCE OF NOT LESS THAN 3 FEET, UNLESS, AT**
5 **THE TIME:**

6 **(I) THE BICYCLE, EPAMD, OR MOTOR SCOOTER RIDER**
7 **FAILS TO OPERATE THE VEHICLE IN CONFORMANCE WITH § 21-1205(A) OF THIS**
8 **SUBTITLE (“RIDING TO RIGHT SIDE OF ROADWAY”) OR § 21-1205.1(B) OF THIS**
9 **SUBTITLE (“ROADWAY WITH BIKE LANE OR SHOULDER PAVED TO SMOOTH**
10 **SURFACE”); ~~OR~~**

11 **(II) A PASSING CLEARANCE OF LESS THAN 3 FEET IS**
12 **CAUSED SOLELY BY THE BICYCLE, EPAMD, OR MOTOR SCOOTER RIDER**
13 **FAILING TO MAINTAIN A STEADY COURSE; OR**

14 **(III) THE HIGHWAY ON WHICH THE VEHICLE IS BEING**
15 **DRIVEN IS NOT WIDE ENOUGH TO LAWFULLY PASS THE BICYCLE, EPAMD, OR**
16 **MOTOR SCOOTER AT A DISTANCE OF AT LEAST 3 FEET.**

17 (b) A person may not throw any object at or in the direction of any person
18 riding a bicycle, an EPAMD, or a motor scooter.

19 (c) A person may not open the door of any motor vehicle with intent to strike,
20 injure, or interfere with any person riding a bicycle, an EPAMD, or a motor scooter.

21 **(D) UNLESS OTHERWISE SPECIFIED IN THIS TITLE, THE DRIVER OF A**
22 **VEHICLE SHALL YIELD THE RIGHT-OF-WAY TO A PERSON WHO IS LAWFULLY**
23 **RIDING A BICYCLE, AN EPAMD, OR A MOTOR SCOOTER IN A DESIGNATED BIKE**
24 **LANE OR SHOULDER IF THE DRIVER OF THE VEHICLE IS ABOUT TO ENTER OR**
25 **CROSS THE DESIGNATED BIKE LANE OR SHOULDER.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2010.