

HOUSE BILL 653

R5, L5

5lr0499

By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: February 12, 2015

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2015

CHAPTER _____

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Regulation of**
3 **Off–Highway Recreational Vehicles ~~in Prince George's County~~**

4 **MC/PG 114–15**

5 FOR the purpose of requiring the Maryland–National Capital Park and Planning
6 Commission, ~~in conjunction with the Prince George's County Department of Parks~~
7 ~~and Recreation~~, to adopt regulations governing the use of off–highway recreational
8 vehicles on Commission property ~~located in Prince George's County~~.

9 BY repealing and reenacting, with amendments,
10 Article – Land Use
11 Section 17–207
12 Annotated Code of Maryland
13 (2012 Volume and 2014 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Transportation
16 Section 11–140.1
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2014 Supplement)

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

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

Article – Land Use

2 17–207.

3 (a) (1) The Commission may adopt regulations for the use of any property
4 under its jurisdiction.

5 (2) ~~THE COMMISSION, IN CONJUNCTION WITH THE PRINCE~~
6 ~~GEORGE’S COUNTY DEPARTMENT OF PARKS AND RECREATION,~~ SHALL ADOPT
7 REGULATIONS GOVERNING THE USE OF OFF–HIGHWAY RECREATIONAL VEHICLES,
8 AS DEFINED UNDER § 11–140.1 OF THE TRANSPORTATION ARTICLE, ON
9 COMMISSION PROPERTY ~~LOCATED IN PRINCE GEORGE’S COUNTY.~~

10 (b) (1) The Commission shall:

11 (i) post the regulations outside each park headquarters building,
12 community center, recreation center, or similar building in a developed park area; and

13 (ii) after posting the regulations, publish them at least three times
14 within 60 days in one or more newspapers of general circulation published in the
15 metropolitan district.

16 (2) The posting and publication of the regulations shall be sufficient notice
17 to all persons.

18 (3) The sworn certificate of a commissioner as to the posting and
19 publication of the regulations is prima facie evidence of posting and publication.

20 **Article – Transportation**

21 11–140.1.

22 (a) “Off–highway recreational vehicle” means a vehicle that is:

23 (1) A motor–assisted or motor–driven vehicle that:

24 (i) Is designed to carry only the operator of the vehicle on a seat or
25 saddle designed to be straddled by the operator or is designed to carry only the operator of
26 the vehicle and one passenger; and

27 (ii) Is commonly known as an all–terrain vehicle;

28 (2) A motorcycle that is designed for off–highway operation and is not
29 eligible for registration as a Class D (motorcycle) vehicle under this article, commonly
30 known as a dirt bike; or

1 (3) A snowmobile.

2 (b) "Off-highway recreational vehicle" does not include:

3 (1) A farm vehicle as defined in § 13-911 of this article when used
4 exclusively on farm property by a farmer; or

5 (2) Any vehicle when used on residential property for the purpose of
6 landscaping, gardening, or lawn care.

7 (c) The Administration may establish by regulation other requirements for or
8 limitations on the definition of "off-highway recreational vehicle".

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.