

HOUSE BILL 1356

R5

EMERGENCY BILL

71r3329
CF SB 984

By: **Allegany County Delegation**

Introduced and read first time: March 2, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Approval**

3 FOR the purpose of authorizing motor vehicle racing on a highway under the
4 jurisdiction of the State Highway Administration or a local authority if the
5 State Highway Administration or local authority approves the racing event,
6 subject to certain conditions; authorizing the approval of a motor vehicle or
7 bicycle racing event only if the sponsors of the event indemnify the State and
8 local governments against certain loss and provide certain liability insurance,
9 the county or other local jurisdiction in which the event is held provides written
10 authorization for the event, and the highway on which the event is held is
11 closed in a certain manner; authorizing the State Highway Administration or a
12 local authority to exempt participants in an approved motor vehicle racing event
13 from certain provisions of law; making this Act an emergency measure; and
14 generally relating to approval of motor vehicle and bicycle racing events.

15 BY repealing and reenacting, without amendments,
16 Article – Transportation
17 Section 21–1116
18 Annotated Code of Maryland
19 (2006 Replacement Volume and 2006 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Transportation
22 Section 21–1211
23 Annotated Code of Maryland
24 (2006 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Transportation**

4 21–1116.

5 (a) Except as provided in § 21–1211 of this title, on any highway or on any
6 private property that is used by the public in general, a person may not drive a vehicle
7 in a race or speed contest, whether or not on a wager or for a prize or reward.

8 (b) Except as provided in § 21–1211 of this title, a person may not participate
9 as a timekeeper or flagman in any race or speed contest specified in subsection (a) of
10 this section.

11 21–1211.

12 (a) When the State Highway Administration or a local authority approves a
13 **MOTOR VEHICLE OR** bicycle racing event on a highway or a highway bridge under its
14 respective jurisdiction, **MOTOR VEHICLE OR** bicycle racing shall be lawful.

15 (b) The State Highway Administration or a local authority may approve a
16 **MOTOR VEHICLE OR** bicycle racing event only **IF:**

17 **(1) THE RACING EVENT IS HELD** under conditions that:

18 ~~[(1)]~~ **(I)** Provide reasonable safety for race participants, spectators,
19 and other highway or highway bridge users; and

20 ~~[(2)]~~ **(II)** Prevent unreasonable interference with traffic flow that
21 would seriously inconvenience other highway or highway bridge users;

22 **(2) THE SPONSORS OF THE RACING EVENT:**

23 **(I) INDEMNIFY THE STATE AND LOCAL GOVERNMENTS**
24 **FROM ANY LOSS ARISING OUT OF OR RELATING TO THE RACING EVENT; AND**

25 **(II) PROVIDE COMPREHENSIVE LIABILITY INSURANCE, IN**
26 **AN AMOUNT TO BE DETERMINED BY THE STATE HIGHWAY ADMINISTRATION OR**
27 **LOCAL AUTHORITY WITH JURISDICTION OVER THE HIGHWAY ON WHICH THE**

1 RACING EVENT IS TO BE HELD, FOR THE BENEFIT OF THE STATE AND LOCAL
2 GOVERNMENTS, SPECTATORS, AND OTHER HIGHWAY OR HIGHWAY BRIDGE
3 USERS;

4 (3) THE COUNTY OR OTHER LOCAL JURISDICTION IN WHICH THE
5 RACING EVENT IS HELD PROVIDES WRITTEN AUTHORIZATION FOR THE RACING
6 EVENT; AND

7 (4) THE HIGHWAY ON WHICH THE RACING EVENT IS HELD IS
8 CLOSED, IN A MANNER APPROVED BY THE STATE HIGHWAY ADMINISTRATION
9 OR LOCAL AUTHORITY WITH JURISDICTION OVER THE HIGHWAY, WITH
10 APPROPRIATE ACCESS MEASURES IN PLACE.

11 (c) If traffic control adequately assures the safety of participants, spectators,
12 and other highway or highway bridge users, the State Highway Administration or a
13 local authority may exempt participants in an approved **MOTOR VEHICLE OR** bicycle
14 racing event from compliance with other provisions of the Maryland Vehicle Law that
15 otherwise would be applicable to the participants in the **MOTOR VEHICLE OR** bicycle
16 racing event.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
18 measure, is necessary for the immediate preservation of the public health or safety,
19 has been passed by a yea and nay vote supported by three-fifths of all the members
20 elected to each of the two Houses of the General Assembly, and shall take effect from
21 the date it is enacted.