

CHAPTER 211

(Senate Bill 984)

AN ACT concerning

Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Approval

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

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

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

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

Article – Transportation

21–1116.

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

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

21–1211.

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

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

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

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

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

(2) THE SPONSORS OF THE RACING EVENT:

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

(II) PROVIDE COMPREHENSIVE LIABILITY INSURANCE, IN AN AMOUNT TO BE DETERMINED BY THE STATE HIGHWAY ADMINISTRATION OR LOCAL AUTHORITY WITH JURISDICTION OVER THE HIGHWAY ON WHICH THE RACING EVENT IS TO BE HELD, FOR THE BENEFIT OF THE STATE AND LOCAL GOVERNMENTS, SPECTATORS, AND OTHER HIGHWAY OR HIGHWAY BRIDGE USERS;

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. It shall remain effective through September 30, 2009, and at the end of September 30, 2009, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, April 24, 2007.