

SENATE BILL 428

R5
HB 143/08 – ENV

9lr2356
CF HB 496

By: **Senators Raskin, Astle, Frosh, Mooney, and Rosapepe**

Introduced and read first time: February 2, 2009

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 11, 2009

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; requiring a
5 driver of a motor vehicle to yield the right-of-way to a person who is riding a
6 bicycle, an EPAMD, or a motor scooter in a designated bicycle lane or shoulder
7 under certain circumstances; and generally relating to the rules of the road for
8 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 (2006 Replacement Volume and 2008 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.

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

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

9 (D) THE DRIVER OF A MOTOR VEHICLE SHALL YIELD THE
10 RIGHT-OF-WAY TO A PERSON WHO IS LAWFULLY RIDING A BICYCLE, AN
11 EPAMD, OR A MOTOR SCOOTER IN A DESIGNATED BICYCLE LANE OR
12 SHOULDER IF THE DRIVER IS ABOUT TO:

13 (1) MOVE THE MOTOR VEHICLE INTO OR ACROSS THE
14 DESIGNATED BICYCLE LANE OR SHOULDER;

15 (2) TURN INTO OR ACROSS THE DESIGNATED BICYCLE LANE OR
16 SHOULDER AT AN ALLEY, DRIVEWAY, OR PRIVATE ROAD; OR

17 (3) EXIT AN ALLEY, DRIVEWAY, OR PRIVATE ROAD INTO OR
18 ACROSS THE DESIGNATED BICYCLE LANE OR SHOULDER.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2009.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.