

APPENDIX C: ANNOTATED CODE OF MARYLAND RELATED TO PEDESTRIANS AND BICYCLES

TITLE 2 DEPARTMENT OF TRANSPORTATION

Subtitle 6 Bicycle and Pedestrian Access

2-601 Definitions

- (a) In general. – In this subtitle the following words have the meanings indicated.
- (b) Director. – “Director” means the Director of Bicycle and Pedestrian Access.

2-602 Public Policy.

The General Assembly finds that it is in the public interest for the State to include enhanced transportation facilities for pedestrians and bicycle riders as an essential component of the State’s transportation system, and declares that it is policy of the State that:

- (1) Access to and use of transportation facilities by pedestrians and bicycle riders shall be considered and best engineering practices regarding the needs of bicycle riders and pedestrians shall be employed in all phases of transportation planning, including highway design, construction, reconstruction, and repair as well as expansion and improvement of other transportation facilities;
- (2) The modal administration in the Department shall ensure that the State maintains an integrated transportation system by working cooperatively to remove barriers, including restrictions on bicycle access to mass transit, that impede the free movement of individuals from one mode of transportation to another; and
- (3) As to any new transportation project or improvement to an existing transportation facility, the Department shall work to ensure that transportation options for pedestrians and bicycle riders will be enhanced and that pedestrian and bicycle access to transportation facilities will not be negatively impacted by the project or improvement.

2-603 Director of Bicycle and Pedestrian Access

- (a) Established. – There is a Director of Bicycle and Pedestrian Access in the Office of the Secretary.
- (b) Appointment. –
 - (1) The Director shall be appointed by the Secretary with the approval of the Governor.
 - (2) The Director shall be a person with experience in transportation planning with specialized knowledge in matters relating to bicycle and pedestrian access to transportation facilities.
- (c) Service, reporting and duties. –
 - (1) The Director serves at the pleasure of the Secretary and shall report directly to the Secretary.
 - (2) Subject to the authority of the Secretary, the Director is responsible for carrying out:
 - (i) The powers and duties vested by law in the Director; and
 - (ii) Those powers and duties vested in the Secretary and delegated to the Director by the Secretary.
- (d) Salary. – The Director is entitled to the salary provided in the State budget.

2-604 Bicycle-Pedestrian Master Plan.

- (a) Requirements; goals of Plan. – The Director shall develop and coordinate policies and plans for the provision, preservation, improvement, and expansion of access to transportation facilities in the State for pedestrians and bicycle riders, including the development, before October 1, 2002, of a Statewide 20-Year Bicycle-Pedestrian Master Plan that:
 - (1)(i) Identifies short-term and long-term goals that are consistent with the purpose of this subtitle; and
 - (ii) For each identified goal, includes:
 - 1. Reasonable cost estimates for achieving the goal; and
 - 2. For purposes of the annual report required under Subsection 3-216 of this article, objective performance criteria against which progress in achieving the goal can be measured;
 - (2) Complies with applicable federal funding requirements;
 - (3) Provides a model to guide political subdivisions of the State in enhancing bicycle and pedestrian access to transportation facilities;
 - (4) Provides long-term strategies for improving the State’s highways to ensure compliance with the most advanced safety standards for pedestrians and bicycle riders; and
 - (5) After consultation with political subdivisions in the State, identifies bicycle-pedestrian priority areas to facilitate the targeting of available funds to those areas of the State most in need.
- (b) Duties of the Director. – To carry out the purposes of this subtitle, the Director shall:

- (1) Participate in the planning of new transportation facilities and improvements to the existing transportation facilities;
 - (2) Advise the Secretary on matters concerning bicycle and pedestrian access and any other matter as requested by the Secretary;
 - (3) Initiate a program of systematic identification of and planning for projects related to bicycle and pedestrian transportation that qualify for funds under Federal Highway Administration guidelines;
 - (4) Monitor State transportation plans, proposals, facilities, and services to ensure maximum benefits for pedestrians and bicycle riders in the State; and
 - (5) Consult regularly with the Bicycle and Pedestrian Advisory Committee established under Subsection 2-606 of this subtitle.
- (c) Secretary's authority. – The exercise of the powers and duties of the Director is subject to the authority of the Secretary.

2-606 Bicycle and Pedestrian Advisory Committee

(a) Purpose. – The Governor shall appoint a Bicycle and Pedestrian Advisory Committee to provide guidance to State agencies concerning:

- (1) Funding of bicycle and pedestrian related programs;
- (2) Public education and awareness of bicycle and pedestrian related activities;
- (3) Public education and awareness of bicycling and pedestrian safety; and
- (4) Any other issue related to bicycling and pedestrians.

(b) Composition. – The Committee shall consist of the following:

- (1) 1 representative each from:
 - (i) The Department of Transportation;
 - (ii) The Department of Natural Resources;
 - (iii) The Department of Education;
 - (iv) The Department of State Police;
 - (v) The Department of Business and Economic Development;
 - (vi) The Department of Health and Mental Hygiene;
 - (vii) The Department of Planning; and
 - (viii) The Governor's Office for Individuals with Disabilities;
- (2) 1 citizen member from each of the following areas:
 - (i) The Eastern Shore;
 - (ii) Western Maryland; and
 - (iii) Southern Maryland;
- (3) 2 citizen members from each of the following areas:
 - (i) The Baltimore metropolitan area; and
 - (ii) The Washington metropolitan area; and
- (4) Up to 6 citizen members selected to represent the interests of bicyclists, pedestrians, and disabled community to include:
 - (i) A representative of individuals who are visually impaired; and
 - (ii) A representative of individuals who are mobility impaired.

(c) Citizen members; qualifications. – One of the citizen members selected under subsection (b) of this section shall have an expertise in bicycle and pedestrian safety.

(d) Maximum membership. – The total membership of the Committee may not exceed 21 members.

(e) Chairman. – The Governor shall select a chairman from the among the citizen members.

(f) Terms. –

- (1) The term of a member is 4 years.
- (2) The terms of the members are staggered as required by the terms provided for members of the Committee on October 1, 2001.
- (3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
- (4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(g) Business procedures. – The Committee may adopt procedures necessary to ensure the orderly transaction of business.

(h) Meetings. – The Committee shall meet at least quarterly with at least 1 meeting held in Annapolis.

(i) Reimbursements. – A member of the Committee may not receive compensation but shall be reimbursed for expenses under the Standard State Travel Regulations as provided for in the State budget.

(j) Staff, support, operating expenses. - The Department shall provide staff, administrative support, and operating expenses for the Committee as provided in the State budget.

2-607 Pedestrians Safety Program.

- (a) "Program" defined. - In this section, "Program" means the Maryland Pedestrian Safety Program.
- (b) Established. - There is a Pedestrian Safety Program within the Department.
- (c) Funding. - The program is funded by:
 - (1) The Highway Safety Operating Program of the State Highway Administration; and
 - (2) Any other monies accepted for the benefit of the Program from any governmental or private source.
- (d) Grants. - Awards; matching funds.
 - (1) The Secretary shall award grants under the Program to counties, municipalities, and nonprofit organizations to carry out the provisions of this section.
 - (2) When awarding grants under the Program, The Secretary shall consider any matching fund applicant proposes to provide.
- (e) Same. - Purposes. - Counties, municipalities, and nonprofit organizations may apply for grants under the Program for the following purposes:
 - (1) To educate automobile drivers and pedestrians about methods to increase pedestrian safety;
 - (2) To enhance efforts to enforce State and local motor vehicle laws that protect the safety of pedestrians;
 - (3) To design or redesign intersections to increase pedestrian safety and access; and
 - (4) To enhance safe pedestrian access to transit facilities as defined in Section 3-101 of this article.
- (f) Same. - Application procedures. - The Secretary shall establish procedures for counties, municipalities, and nonprofit organizations to apply for grants under the Program.

TITLE 3 FINANCING BY DEPARTMENT

Subtitle 2 Consolidated Transportation Bonds

3-216 Transportation Trust Fund

- (d) Other uses of Fund
 - (5) For each fiscal year, the Department shall use the funds in the Transportation Trust Fund for the purposes specified in subsection (c)(2)(ii) of this section, which may include construction and maintenance:
 - (i) Public bicycle areas as defined in section 21-101 (k) of this article;
 - (ii) Bicycle ways as defined in section 21-101 (l) of this article; and
 - (iii) Sidewalks as defined in section 21-101 (t) of this article.

TITLE 7 MASS TRANSIT

Subtitle 9 Railroads

7-902 Passenger railroad services.

(c) Regulations. - The Administration shall adopt railroad regulations to facilitate the transportation of bicycles on board passenger railroad services.

TITLE 8 HIGHWAYS

Subtitle 1 Definitions; General Provisions

8-101 Definitions

- (a) In general. - In this title the following words have the meanings indicated.
- (b) Administration. - "Administration" means the State Highway Administration.
- (c) Administrator. - "Administrator" means the State Highway Administrator.
- (d) Bicycle and pedestrian priority area. - "Bicycle and pedestrian priority area" means a geographical area where the enhancement of bicycle and pedestrian traffic is a priority.
- (e) Commission. - "Commission" means the State Roads Commission.
- (f) Controlled access highway. - "Controlled access highway" means a major highway with the same characteristics as an expressway, except that the conflict of cross streams of traffic is not eliminated necessarily at each intersection by grade separation structures.
- (g) County road. - "County road" means any public highway:
 - (1) The title to which or the easement for the use of which, is vested in a public body or governmental agency; and
 - (2) That is not a State highway or located in Baltimore City.
- (h) Expressway. - "Expressway" means a major highway of two or more traffic lanes in each direction that is designed to eliminate principal traffic hazards and has the following characteristics:
 - (1) A median divider separating opposing traffic lanes to eliminate head-on collisions and sideswiping;

- (2) Grade separation structures to eliminate the conflict of cross streams of traffic at each intersection;
- (3) Points of entrance and exit limited to predetermined locations;
- (4) Vertical curves enough to provide long sight distances; and
- (5) Shoulders wide enough to permit vehicles to stop or park out of traffic lanes.
- (i) Highway. – “Highway” includes:
 - (1) Rights-of-way, roadway surfaces, roadway subgrades, shoulders, median dividers, drainage facilities and structures, related stormwater management facilities, and structures, roadway cuts, roadway fills, guardrails, bridges, highway grade separation structures, railroad grade separations, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, and other structures forming an integral part of a street, road, or highway, including bicycle and walking paths; and
 - (2) Any other property acquired for the construction, operation or use of the highway.
- (j) Interstate highway. – “Interstate highway” means a State highway that is part of the national interstate system in the State, as designated by the Administration and approved by the United States Secretary of Transportation under Title 23 of the United States Code.
- (k) Maintenance.
 - (1) “Maintenance” means the upkeep and repair by which a highway, building, equipment, and other property is kept in an ordinarily efficient operating condition.
 - (2) “Maintenance” does not include construction, reconstruction, or relocation.
- (l) Primary highway. – “Primary highway” means a State highway that has been designated a primary highway by the Administration with the approval of the Secretary.
- (m) Project. – “Project” means the construction, reconstruction, or relocation of one or more sections or parts of the State highway system.
- (n) Railroad grade separation.
 - (1) “Railroad grade separation” means any overpass or underpass that eliminates a railroad grade crossing.
 - (2) “Railroad grade separation” includes:
 - (i) The overpass and underpass structure and the approaches to them;
 - (ii) Any related entrance plazas, interchanges, connecting highways. And other structures; and
 - (iii) Any other property acquired for the construction, operation, or use of the railroad grade separation.
- (o) Road. – “Road” means a highway.
- (p) Secondary highway. – “Secondary highway” means a State highway that is either a primary highway nor interstate highway.
- (q) State highway. – “State highway” means any public highway owned by this State.
- (r) State highway system. – “State highway System” means the system of State-owned primary and secondary highways throughout the State.
- (s) Street. – “Street” means a highway.

8-204 General powers and duties of Administration

- (a) In general. – In addition to the specific powers granted and duties imposed by this title, the Administration has the powers and duties set forth in this section.
- (b) Rules and regulations. – The Administration may adopt rules and regulations to carry out the provisions of this title.
- (c) Establishment and maintenance of State highway system. –
 - (1) The Administration shall:
 - (i) Determine and may change from time to time the location, construction, geometric, design, and maintenance of the State highway system; and
 - (ii) 1. If the Administration and a local government designate as area as a bicycle and pedestrian priority area, implement a plan developed in cooperation with the local government to increase safety and access for bicycle or pedestrian traffic.
 - 2. If there is no State highway within the limits of the bicycle and pedestrian priority area, the plan shall be developed by the local government.
 - (2) A plan for traffic management in a bicycle and pedestrian priority area shall provide for:
 - (i) Appropriate changes to the location, construction, geometrics, design, and maintenance of the State highway system to increase safety and access for bicycle and pedestrian traffic in the bicycle and pedestrian priority area; and
 - (ii) The appropriate use of traffic control devices including pedestrian control signals, traffic signals, stop signs, and speed bumps.
- (d) Consultations and contracts with others. – The Administration may consult, confer, and contract with any agency or representative of the federal government, this State, or any other state or with any other person in furtherance of the duties of the Administration and the purposes of this title.

(e) Agents and employees. –

(1) Subject to Section 2-103.4 of this article, the Administration may employ engineers, accountants, professional and technical experts, surveyors, skilled and unskilled laborers, advisors, consultants, and other agents and employees that it considers necessary to carry out its powers and duties.

(2) Any employee of the Administration may be bonded under Title 9, Subtitle 17 of the State Government Article.

(3) The Administration may determine the compensation of executive management positions, as recommended by the Secretary of Transportation and approved by the Governor, subject to approval in the budget.

(f) Equipment and material. – The Administration may purchase any machines, tools, implements, appliances, supplies, materials, and working agencies that it considers necessary to carry out any of its powers or duties under this title.

(g) Lease offices. – The Administration may rent or lease any offices and other places that it considers necessary to carry out its powers and duties.

(h) Control of public use areas. – By rules or regulations consistent with the safety and welfare of the traveling public, the Administration may govern the control and use of rest areas, scenic overlooks, roadside picnic areas, and other public use areas within State highway rights-of-way.

(i) Bicycle priority route system. – The Administration shall:

(1) Plan, select, construct, improve, and maintain the State highway system; and

(2) By July 1, 1997, in accordance with local governments, draft a plan for a bicycle priority route system that provides a viable network for bicycle transportation throughout the State.

Subtitle 4 Highway User Revenues

8-409 Establishment and maintenance of footpaths, bridle paths or horse paths, and bicycle trails.

(a) Legislative policy. – It is the policy of this State that bicycle trails are important and their construction is encouraged wherever feasible.

(b) Use of highway user revenues. – To establish and maintain footpaths, bridle paths or horse trails, and bicycle trails:

(1) Baltimore City, any county, or any municipality that receives highway user revenues may spend a reasonable part of its net share for these purposes; and

(2) The Administration, Baltimore City, any county, or any municipality that receives highway user revenues may credit a part of them to a financial reserve or a special fund to be used within 10 years for the purposes.

(c) Conditions on establishment. – Highway user revenues may not be used for footpaths, bridle paths or horse trails, or bicycle trails, if:

(1) Their establishment would be contrary to public safety;

(2) Their cost would be too great considering their need or probable use; or

(3) The sparseness of population, the existence of other available ways, or other available ways, or other factors show that there is no need for them.

(d) Administration to provide technical assistance

(1) If requested by a local government, the Administration shall provide technical assistance and advice on carrying out the purposes of this section.

(2) The Administration shall recommend construction standards for footpaths, bridle paths or horse trails, and bicycle trails and shall establish a uniform system of signs for all footpaths, bridle paths or horse trails, and bicycle trails constructed under this section, whether construction is under taken by the Administration or by local government.

(e) Use of paths and trail. – Unless the Administration or local government specifically approves other uses, as provided in subsection (g) of this section, footpaths and bicycle trails may be used only by pedestrians and nonmotorized vehicles.

(f) Use of bridle paths or horse trails. – Unless the Administration or local government specifically approves other uses, as provided in subsection (g) of this section, bridle paths or horse trails may be used only by pedestrian, horses, or horse drawn vehicles.

(g) Signs. – If the Administration or local government specifically approves the use of footpaths and bicycle trails by other than pedestrians and nonmotorized vehicles, or of bridle paths or horse trails by other than pedestrians, horses, or horse drawn vehicles, the Administration or local government shall post signs on the path or trails indicating the uses specifically approved.

(h) Moped. – A person may not operate a moped on a footpath, bicycle trail, bridle path, or horse trail unless the path or trail is posted with signs in accordance with subsection (g) of this section specifically approving the use of mopeds.

(i) Sport cycles, trail bikes, and minibikes. – Notwithstanding the provisions of this subsection, the use of footpaths and bicycle trails shall be denied to sports cycles, trail bikes, and minibikes.

Subtitle 6 Construction and Maintenance

Part I General Provisions

8-601.1 Project resulting in severance or destruction of bicycle route

(a) Prohibition. – The Administration may not construct any project that will result in the severance or destruction of an existing major route for bicycle transportation traffic, unless the project provides for construction of a reasonable alternative route or such a route already exists.

(b) Guidelines. – The Administration shall develop guidelines jointly with local governments to carry out the provisions of this section.

Part II Long Range Highway Programs

8-611 Highway needs information, assessment, and inventory

(a) Information. – The Administration shall furnish members of the General Assembly and the Governor with:

(1) Current information on highway needs; and

(2) Information necessary for the development of the State Report on Transportation, as provided in subsection 2-103.1 of this article.

(b) Assessment and inventory

(1) In calendar year 1979 and in each second year following, the Administration, following an assessment of the highway conditions and transportation needs of this State, shall prepare those proposed modifications to the highway needs inventory that it considers necessary.

(2) By July 1, 1997, the Administration, in cooperation with local governments, shall inventory State and local facilities near rail stops, light rail stops, and subway stations to determine what improvements are needed to accommodate in a safe and effective manner pedestrians and bicycles within a reasonable distance for walking and bicycling.

(3) In preparing the proposed modifications, the Administration shall provide a copy of the proposal to and consult with the local governing body, municipalities, and local legislative delegations with respect to the proposed modifications.

(4) The Administration shall provide a copy of the State Report on Transportation to each county and municipality prior to consultation.

Part IV Sidewalks

8-629 Sidewalk construction by developers of industrial, commercial, or apartment areas along highways.

(a) Administration may require construction of sidewalk. –

(1) With the concurrence of the local government, the Administration may require any developer of an industrial, commercial, or apartment area along a highway maintained by the Administration to construct sidewalks parallel to the highway.

(2) The construction of these sidewalks shall meet the conditions specified in entrance permits and the standards adopted by the Administration or the local government.

(b) When sidewalks not required. – Sidewalks may not be required under this section if the Administration determines that:

(1) The establishment of sidewalks would be contrary to public safety;

(2) The cost of establishing the sidewalks would be too great considering the need for them or their probable use; or

(3) The sparsity of population, the existence of other available ways, or any other factor indicates that there is no need for the sidewalks.

(c) Maintenance of sidewalk. – After sidewalks are constructed under this section, they shall be maintained and repaired by the political subdivision in which they are located.

8-630 Sidewalks or bicycle pathways along urban highways; nighttime illumination.

(a) Definitions. –

(1) In this section the following words have the meanings indicated.

(2) “Municipal corporation” has the meaning stated in Article 23A, Section 9 of the Code.

(3) “Urban highway” means a highway, other than an expressway, that is:

(i) 1. Constructed with a curb and gutter and an enclosed type storm drainage system;

2. Located in an urban area and on which is located a public facility that creates appreciable pedestrian traffic along the highway from adjacent areas;

3. Located within urban boundaries as defined by the U.S. Census Bureau; or

4. Located within the boundaries of a municipal corporation; and

(ii) Part of the State highway system.

(b) Sidewalks – Construction generally, -

(1) Sidewalks shall be constructed at the time of construction or reconstruction on an urban highway, or in response to the request of a local government unless:

(i) The Administration determines that the cost or impacts of constructing the sidewalk would be too great in relation to the need for them or their probable use; or

(ii) The local government indicates that there is no need for sidewalks

(2) Sidewalks constructed under this section shall be consistent with area master plans and transportation plans adopted by the local planning commission.

(c) Sidewalks and bicycle pathways – Financing; Maintenance; construction when no adjacent roadway construction. –

(1) If sidewalks or bicycle pathways are constructed or reconstructed as part of a roadway construction or reconstruction project, the Administration shall fund the sidewalks or bicycle pathway construction or reconstruction as a part of the cost of the roadway project.

(2) Except as provided in paragraph (3) of this subsection, if sidewalks or bicycle pathways are constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway shall be shared equally between the State and local governments.

(3) If sidewalks or bicycle pathways within the designated neighborhood as defined in Article 83B, subsections 4-202 and 4-203 of the Code are constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway may be funded entirely by the State.

(4) If sidewalks or bicycle pathways are being constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the local government shall:

(i) Provide public notice and opportunities for community involvement prior to the construction of a sidewalk or bicycle pathway; and

(ii) Secure necessary right-of-way that may be needed beyond the right-of-way already owned by the State.

(5)(i) Except as provided in subparagraph (ii) of this paragraph, after sidewalks and bicycle pathways are constructed under this section, they shall be maintained and repaired by the political subdivision in which they are located.

(ii) Subject to approval and the availability of funds, the Administration promptly shall reimburse a political subdivision for the preapproval and documented costs incurred in reconstructing a segment of a sidewalk or bicycle pathway that has deteriorated to the extent that repair is not practical or desirable for public safety.

(d) Existing pedestrian routes. – The Administration may not construct any project that will result in the severance or destruction of an existing major route for pedestrian transportation traffic, unless the project provides for construction for a reasonable alternative pedestrian route or such a route already exists.

(e) Guidelines. – The Administration shall develop guidelines jointly with local governments to carry out the provisions of this section.

(f) Nighttime illumination. – The Administration shall maintain and repair all facilities for nighttime illumination that:

(1) Are constructed by the Administration for the safe conduct of vehicular traffic; and

(2) Exist adjacent to urban highways.

8-648 Storm drain covers in highways

Any new or replacement storm drain cover, installed on a street or highway in the State, after January 1, 1980, shall consist of:

(1) Bars running perpendicular to the flow of traffic on the highway;

(2) A grating composed of intersecting bars; or

(3) Other designs approved by the Department of Transportation which meet safety design criteria as well as engineering and structural design demands.

TITLE 11 DEFINITIONS; GENERAL PROVISIONS

Subtitle 1 Definitions

11-104 Bicycle

“Bicycle” means a vehicle that:

(1) Is designed to be operated by human power;

(2) Has two or three wheels, of which one is more than 14 inches in diameter;

(3) Has a rear drive; and

(4) Has a wheel configuration as follows:

(i) If the vehicle has two wheels, with both wheels in tandem; or

(ii) If the vehicle has three wheels, with one front wheel and with two rear wheels that are equidistant from the center of the vehicle.

11-127 Highway

“Highway” means the entire width between the boundary lines of any way or thoroughfare of which any part is used by the public for vehicular travel, whether or not the way or thoroughfare has been designated to the public and accepted by any proper authority.

Shoulder included – The public highway includes not only the paved portion of the highway but also the shoulder.

11-130.1 Low Speed Vehicle

“Low speed vehicle” means a four-wheeled electric vehicle that has a maximum speed capacity that exceeds 20 miles per hour but is less than 25 miles per hour.

11-134.1 Moped

“Moped” means a bicycle that:

- (1) Is designed to be operated by human power with the assistance of a motor;
- (2) Is equipped with pedals that mechanically drive the rear wheel or wheels;
- (3) Has two or three wheels, of which one is more than 14 inches in diameter; and
- (4) Has a motor with a rating of 1.5 brake horsepower or less and, if the motor is an internal combustion engine, a capacity of 50 cubic centimeters piston displacement or less.

11-134.4 Motor Scooter

(a) In general – “Motor scooter” means a nonpedal vehicle that:

- (1) Has a seat for the operator;
- (2) Has two wheels, of which one is 10 inches or less;
- (3) Has a step-through chassis;
- (4) Has a motor;
 - (i) With a rating of 2.7 brake horsepower or less; or
 - (ii) If the motor is an internal combustion engine, with a capacity of 50 cubic centimeters piston displacement or less; and
- (5) Is equipped with an automatic transmission.

(b) Off-road vehicles – “Motor scooter” does not include a vehicle that has been manufactured for off-road use, including a motorcycle and an all-terrain vehicle.

11-135 Motor vehicle

(a) In general

- (1) “Motor vehicle” means, except as provided in subsection (b) of this section. A vehicle that:
 - (i) Is self-propelled or propelled by an electric power obtained from overhead electric wires; and
 - (ii) Is not operated on rails.
- (2) “Motor vehicle” includes a low speed vehicle.

(b) Moped or motor scooter. – “Motor vehicle” does not include:

- (1) A moped, as defined in subsection 11-134.1 of this subtitle; or
- (2) A motor scooter, as defined in subsection 11-134.4 of this subtitle.

11-145 Pedestrian

“Pedestrian” means an individual afoot.

11-151 Roadway

(a) In general. – “Roadway” means that part of the highway that is improved, designed, or ordinarily used for vehicular travel, other than the shoulder.

(b) Two or more separate roadways. – If a highway includes two or more separate roadways, the term “roadway” is used in the Maryland Vehicle Law refers to any one roadway separately, and not to all roadways collectively.

11-154.1 Scooter

“Scooter” means a two-wheeled vehicle that:

- (1) Has handlebars; and
- (2) Is designed to be stood on by the operator.

11-176 Vehicle

(a) In general – (1) “Vehicle” means, except as provided in subsection (b) of this section, any device in, on, or by which any individual or property is or might be transported or towed on a highway.

(b) Exceptions – “Vehicle” does not include an electric personal assistance mobility device as defined in 21-101(j) of this article.

TITLE 13 CERTIFICATES OF TITLE AND REGISTRATION OF VEHICLES Subtitle 1. Certificate of Title

13-421 Bicycle Registration

Repealed by Acts 1982, effective July 1, 1982

TITLE 15 VEHICLE LAWS – LICENSING OF BUSINESS AND OCCUPATIONS

Subtitle 1. Definition: General Provisions

15-112 Sale of Minibikes

(a) “Minibike” defined. – In this section, “minibike”:

- (1) Means a motor vehicle that:
 - (i) Has a saddle for the use of the rider;
 - (ii) Is designed to travel on not more than three wheels in contact with the ground; and
 - (iii) Is not subject to registration under Title 13 of this article; and
- (2) Does not include a farm tractor.

(b) Warning required – State restriction. – Any dealer or agent or employee of a dealer, any vehicle salesman, or any other person who sells a minibike shall inform the buyer that the use of a minibike on a highway may be illegal.

(c) Same – Local restriction. – Any dealer or agent or employee of a dealer, any vehicle salesman, or any person who sells a minibike shall inform the buyer that local law, ordinance, and regulation may limit the use of the minibike.

TITLE 16 VEHICLE LAWS – DRIVERS’ LICENSES

Subtitle 1. Issuance, Expiration, and Renewal of Licenses

16-101 Driver’s Must be Licensed.

(a) In General. – An individual may not drive or attempt to drive a motor vehicle on any highway in this State unless:

- (1) The individual holds a driver’s license issued under this title;
- (2) The individual is expressly exempt from the licensing requirements of this title; or
- (3) The individual otherwise is specifically authorized by this title to drive vehicles of the class that the individual is driving or attempting to drive.

(b) Motor assisted bicycles. – Each individual operating on any highway in this State a moped, as defined in Sub-section 11-134.1 of this article or a motor scooter, as defined in sub-section 11-134.4 of this article, shall have with the individual:

- (1) A driver’s license issued to the individual under this title, which license may be of any class issued by the Administration;
- (2) If the individual is a nonresident of this State, a license to drive issued to the individual by the state or country of the individual’s residence, which license may be for any class of vehicle; or
- (3) A moped operator’s permit issued to the individual under this subtitle.

16-104.2 Moped Operator’s Permit

(a) Minimum age; persons not possessing driver’s license. – On application the Administration shall issue a moped operator’s permit to an individual who is 16 years of age or older, and who does not possess a valid driver’s license issued by this State or any other jurisdiction, but whose license or privilege to drive is not revoked, suspended, refused, or canceled.

(b) Prerequisites to issuance. – An applicant is entitled to receive a moped operator’s permit if the applicant:

- (1) Passes the examination provided for in 16-110 (c)(1) of this subsection; and
- (2) Pays the fee provided for in this section.

TITLE 21 VEHICLES LAWS – RULES OF THE ROAD

Subtitle 1 Definitions; General Provisions

21-101 Definitions

- (a) In general – In this title and Title 25 of this article the following words have the meanings indicated.
- (b) Alley – “Alley” means a street that:
 - (1) Is intended to provide access to the rear or side of a lot or building in an urban district; and
 - (2) Is not intended for through vehicular traffic.
- (c) Bicycle Path – “Bicycle Path” means any travelway designed and designated by signing or signing and marking for bicycle use, located within its own right-of-way or in a shared right-of-way and physically separated from motor vehicle traffic by berm, shoulder, curb or other similar device.
- (d) Bicycle Way – (1) “Bicycle Way” means:
 - (i) Any trail, path, part of a highway, surfaced or smooth shoulder, or sidewalk; or
 - (ii) Any other travelway specifically signed, marked, or otherwise designated for bicycle travel.(2) “Bicycle Way” includes:
 - (i) Bicycle Path; and
 - (ii) Bike Lane.
- (e) Bike Lane – “Bike Lane” means any portion of a roadway or shoulder designated for signal directional bicycle flow.
- (f) Business District - “Business District” means an area that adjoins and includes a highway where at least 50 percent of the frontage along the highway, for a distance of at least 300 feet, is occupied by buildings used for business.
- (g) Controlled Access Highway – “Controlled access highway” means a highway or roadway to or from which persons, including the owners or occupants of abutting lands, have no right of access except at the points and in the manner determined by the public authority with jurisdiction over the highway or roadway.
- (h) Crossover – “Crossover” means a traverse roadway or opening that connects the separate roadways of a divided highway at a point other than an intersection of the divided highway with another highway.
- (i) Crosswalk – “Crosswalk” means that part of a roadway that is:
 - (1) Within the prolongation or connection of the lateral lines of sidewalks at any place where 2 or more roadways of any type meet or join, measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
 - (2) Distinctly indicated for pedestrian crossing by lines or other markings.
- (j) Electric personal assistive mobility device – “Electric personal assistive mobility device” or EPAMD means a pedestrian device that:
 - (1) Has two nontandem wheels;
 - (2) Is self-balancing;
 - (3) Is powered by an electric propulsion system;
 - (4) Has a maximum speed capability of 15 miles per hour;
 - (5) Is designed to transport one person.
- (k) Expressway – “Expressway” means a major highway of 2 or more traffic lanes in each direction that is designed to eliminate principle traffic hazards and has the following characteristics:
 - (1) A median divider separating opposing traffic lanes to eliminate head-on collisions and sideswiping;
 - (2) Grade separation structures to eliminate the conflict of cross streams of traffic at each intersection;
 - (3) Points of entrance and exit limited to predetermined locations;
 - (4) Vertical curves long enough to provide long sight distances; and
 - (5) Shoulders wide enough to permit vehicles to stop or park out of traffic lanes.
- (l) Intersection - “Intersection” means:
 - (i) The area within the prolongation or connection of the lateral curb lines or, in the absence of curbs, the lateral boundary lines of the roadways of two highways that join at or approximately at right angles; or
 - (ii) The area within which vehicles traveling on different highways joining at any other angle may come in conflict.(2) If a divided highway includes two roadways that are 30 feet or more apart, every crossing of each roadway of the divided highway by an intersecting highway is a separate intersection. If the intersecting highway also includes two roadways that are 30 feet or more apart, every crossing of two roadways of these highways is a separate intersection.
- (m) Play vehicle – “Play vehicle” means a vehicle that:
 - (1) Has two or three wheels;
 - (2) Is propelled only by human power; and
 - (3) Is not a bicycle as defined in Title 11 of this article.
- (n) Private road or driveway – “Private road or driveway” means any way or place that:
 - (1) Is privately owned; and
 - (2) Is used for vehicular travel by its owner and by those having express or implied permission from the owner, but not by other persons.
- (o) Public bicycle area – “Public bicycle area” means any highway, bicycle path, or other facility or area maintained by the State, a political subdivision of this State, or any of their agencies for the use of bicycles.
- (p) Railroad – “Railroad” means a carrier of people on cars that are operated on stationary rails.

(q) Railroad sign or signal – “Railroad sign” or “railroad signal” means any sign, signal, or device place by authority of a public body or official or by a railroad to warn of the presence of railroad tracks or the approach of a railroad train.

(r) Railroad train – “Railroad Train” means any locomotive or any other car, rolling stock, equipment, or other device that, alone or couple to others, is operated on stationary rails.

(s) Residential district – “Residential district” means an area that:

(1) Is not a business district; and

(2) Adjoins and includes a highway where the property along the highway for a distance of at least 300 feet, is improved mainly with residences or residences and buildings used for business.

Right-of-way – “Right-of-way” means the right of one vehicle or pedestrian to proceed in a lawful manner on a highway in preference to another vehicle or pedestrian.

(u) Safety zone – “Safety zone” means an area in a roadway that:

(1) Is officially set apart for the exclusive use of pedestrians; and

(2) Is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(v) Shoulder – “Shoulder” means that portion of a highway contiguous with the roadway for the accommodation of stopped vehicles, for emergency use, and for the lateral support of the base and surface courses of the roadway.

(w) Sidewalk – “Sidewalk” means that part of the highway:

(1) That is intended for use by pedestrians; and

(2) That is between;

(i) The lateral curb lines or in the absence of curbs, the lateral boundary line of a roadway; and

(ii) The adjacent property lines.

(x) Through Highway – “Through Highway” means a highway or part of a highway:

(1) On which vehicular traffic is given the right-of-way; and

(2) At the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on the highway or part of the highway, in obedience to either a stop sign or yield sign placed as provided in the Maryland Vehicle Law.

(y) Urban district – “Urban district” means an area that:

(1) Adjoins and includes any street; and

(2) Is built up with structures that are:

(i) Devoted to business, industry or dwelling houses; and

(ii) Situated at intervals of less than 100 feet, for a distance of at least a quarter of a mile.

(z) Wheelchair – “Wheelchair” means a mobility aid belonging to any class on three-or-four wheeled devices that:

(1) Is usable indoors;

(2) Does not exceed 30 inches in width and 48 inches in length, when measured 2 inches above the ground; and

(3) Is designed for and used by a mobility impaired individual, whether operated manually or powered.

Subtitle 2 Traffic Signs, Signals and Markings

21-202 Traffic lights with steady indication.

(a) In general. –

(1) Except for special pedestrian signals that carry a legend, where traffic is controlled by traffic control signals that show different colored lights or colored lighted arrows, whether successively one at a time or in combination, only the colors green, red and yellow may be used.

(2) These lights apply to drivers and pedestrians as provided in this section.

(b) Green indication. – Vehicular traffic facing a circular green signal may proceed straight through, or unless a sign at the place prohibits the turn, turn right or left.

(c) Yielding right-of-way to vehicles or pedestrians within intersections or crosswalks. – Vehicular traffic described under subsection (b) of this section, including any vehicle turning right or left, shall yield the right-of-way to any other vehicle and any pedestrian lawfully within the intersection or an adjacent crosswalk when the signal is shown.

(d) Entering intersection on green arrow. – Vehicular traffic facing a green arrow signal, whether shown alone or with another indication, cautiously may enter the intersection, but only to make the movement indicated by the arrow or to make another movement permitted by other indications shown at the same time.

(e) Yielding right-of-way to certain pedestrians and other traffic. – Vehicular traffic described under subsection (d) of this section shall yield the right-of-way to any pedestrian lawfully within an adjacent crosswalk and to any other traffic lawfully using the intersection.

(f) When pedestrians may cross roadways. – Unless otherwise directed by a pedestrian signal as provided in subsection 21-203 of this subtitle, a pedestrian facing any green signal, unless the green signal is only a turn arrow, may cross the roadway, within any marked crosswalk or unmarked crosswalk, in the direction of the green signal.

(g) Steady yellow indication. –

(1) Vehicular traffic facing a steady yellow signal is warned that the related green movement is ending or that a red signal, which will prohibit vehicular traffic from entering the intersection, will be shown immediately after the yellow signal.

(2) Unless otherwise directed by a pedestrian control signal as provided in subsection 21-203 of this subtitle, a pedestrian facing a steady yellow signal is warned that there is not enough time to cross the roadway before a red signal is shown, and a pedestrian may not then start to cross the roadway.

(h) Steady red indication. - In general.-

(1) Vehicular traffic facing a steady circular red signal alone:

(i) Shall stop at the near side of the intersection:

1. At a clearly marked stop line;
2. If there is no clearly marked stop line, before entering any crosswalk; or
3. If there is no crosswalk, before entering the intersection; and

(ii) Except as provided in subsections (i), (ii), and (k) of this section, shall remain stopped until a signal to proceed is shown.

(2) Vehicular traffic facing a steady red arrow signal:

(i) May not enter the intersection to make the movement indicated by the arrow;

(ii) Unless entering the intersection to make a movement permitted by another signal, shall stop at the near side of the intersection:

1. At a clearly marked stop line;
2. If there is no clearly marked stop line, before entering any crosswalk; or
3. If there is no crosswalk, before entering the intersection; and

(iii) Except as provided in subsections (i), (j) and (k) of this section, shall remain stopped until a signal permitting the movement is shown.

(i) Same. – Entering intersection for right turn from one-way street onto one-way street. Unless a sign prohibiting a turn is in place, vehicular traffic facing a steady red signal, after stopping as required by subsection (h) of this section, cautiously may enter the intersection and make:

(1) A right turn; or

(2) A left turn from a one-way street to a one-way street.

(j) Same. – Entering intersection to make turn indicated by sign. – If a sign permitting any other turn is in place, vehicular traffic facing a steady red signal, after stopping as required by subsection (h) of this section, cautiously may enter the intersection and make the turn indicated by the sign.

(k) Same. – Yielding right-of-way to certain pedestrians. – In each instance, vehicular traffic described in subsections (i) and (j) of this section shall yield the right-of-way to any pedestrian lawfully within an adjacent crosswalk and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

(l) Same. – Pedestrians prohibited from entering roadway. – Unless otherwise directed by a pedestrian control signal as provided in subsection 21-203 of this subtitle, pedestrians facing a steady red signal alone may not enter the roadway.

(m) Applicability of section. – Except for those provisions of this section that by their nature cannot apply, this section applies to a traffic control signal placed at a location other than an intersection. Each stop required by the signal shall be made at a sign or marking on the pavement indicating where the stop shall be made or, if there is no sign or marking, at the signal.

21-203 Pedestrian Control Signals

(a) In general. – Where special pedestrian control signals showing the words “walk”, “don’t walk”, or “wait” or the symbols of “walking person” signal or “upraised hand” are in place, the signals have the indications provided in this section.

(b) Walk. – A pedestrian facing a “walk” or “walking person” signal may cross the roadway in the direction of the signal and shall be given the right-of-way by the driver of any vehicle. At an intersection where an exclusive all-pedestrian interval is provided, a pedestrian may cross the roadway in any direction within the intersection.

(c) Don’t walk. – A pedestrian may not start to cross the roadway in the direction of a “don’t walk” or “upraised hand” signal.

(d) Wait signal. – Beginning crossing prohibited. – A pedestrian may not start to cross the roadway in the direction of a “wait signal”.

(e) Same – Partially completed crossing. – If a pedestrian has partly completed crossing on a “walk” or “walking person” signal, the pedestrian shall proceed without delay to a sidewalk to a sidewalk or safety island while the “don’t walk,” “wait”, or “upraised hand” signal is showing

Subtitle 3. Driving on Right Side of Roadway; Overtaking and Passing; Use of Roadway.

21-313 Restrictions on Use of Controlled Access Highways

(a) State Highway Administration and local authorities may prohibit certain uses. – The State Highway Administration, by order, or any local authority, by ordinance, may prohibit the use of any controlled access highway in its jurisdiction by parades, low speed vehicles, funeral processions, bicycles, or other nonmotorized traffic or by any person operating a motorcycle.

(b) Sign Required – The State Highway Administration or the local authority adopting any prohibition under this section shall place and maintain signs on the controlled access highway to which the prohibition is applicable. If the signs are so placed, a person may not disobey the restrictions stated on them.

Subtitle 5. Pedestrians Rights and Rules

21-501 Pedestrians subject to traffic regulations

At an intersection, a pedestrian is subject to all traffic control signals, as provided in 21-202 and 21-203 of this title. However, at any other place, a pedestrian has the rights and is subject to the restrictions stated in this title.

21-501.1 Persons using EPAMD or wheelchair subject to traffic regulations

(a) EPAMD – At an intersection, a person using an EPAMD is subject to all traffic control signals, as provided in 21-202 and 21-203 of this title. However, at any other place, a person using an EPAMD has the rights and is subject to the restrictions applicable to pedestrian under this title.

(b) Wheelchair – At an intersection applicable, a person using a wheelchair is subject to all traffic control signals, as provided in 21-202 and 21-203 of this title. However, at any other place, a person using a wheelchair has the rights and is subject to the restrictions applicable to pedestrian user this title.

21-502 Pedestrian right-of-way in crosswalks

(a) In general –

(1) This subsection does not apply where:

- (i) A pedestrian tunnel or overhead pedestrian crossing is provided, as described in 21-503 (b) of this subtitle; or
- (ii) A traffic control signal is in operation.

(2) The driver of a vehicle shall come to a stop when a pedestrian crossing a roadway is a crosswalk is:

- (i) On the half of the roadway on which the vehicle is traveling; or
- (ii) Approaching from an adjacent lane on the other half of the roadway.

(b) Duty of pedestrian. – A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(c) Passing of vehicle stopped for pedestrian prohibited. – If, at a marked crosswalk or at an unmarked crosswalk at an intersection, a vehicle is stopped to let a pedestrian cross the roadway, the driver of any other vehicle approaching from the rear may not overtake and pass the stopped vehicle.

21-503 Crossing at other than crosswalks

(a) In general. – If a pedestrian crosses a roadway at any point other than in a marked crosswalk or in an unmarked crosswalk at an intersection, the pedestrian shall yield the right-of-way to any vehicle approaching on the roadway.

(b) Where special pedestrian crossing provided. – If a pedestrian crosses a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing is provided, the pedestrian shall yield the right-of-way to any vehicle approaching on the roadway.

(c) Between adjacent intersections. – Between adjacent intersections at which a traffic control signal is in operation, a pedestrian may cross a roadway only in a marked crosswalk.

(d) Crossing intersection diagonally. – A pedestrian may not cross a roadway intersection diagonally unless authorized by a traffic control device for crossing movements. If authorized to cross diagonally, a pedestrian may cross only in accordance with the traffic control device.

21-504 Drivers to exercise due care

(a) In general – Notwithstanding any other provision of this title, the driver of a vehicle shall exercise due care to avoid colliding with any pedestrian.

(b) Duty to warn pedestrians – Notwithstanding any other provision of this title, the driver of a vehicle shall, if necessary, warn any pedestrian by sounding the horn of the vehicle.

(c) Duty to exercise precaution on observing child or certain other individuals – Notwithstanding any other provision of this title, the driver of a vehicle shall exercise proper precaution on observing any child or any obviously confused or incapacitated individual.

21-505 Pedestrians to use right half of crosswalks

If practical, a pedestrian shall walk on the right half of the crosswalk.

21-506 Pedestrian on roadways

(a) Where sidewalks provided – Where a sidewalk is provided, a pedestrian may not walk along and on an adjacent roadway.

(b) Where sidewalk not provided – Where a sidewalk is not provided, a pedestrian who walks along and on a highway may walk only on the left shoulder, if practicable, or on the left side of the roadway, as near as practicable to the edge of the roadway, facing any traffic that might approach from the opposite direction.

21-507 Certain activities by pedestrians prohibited.

(a) Soliciting rides, employment, or business – Except for the occupant of a disabled vehicle who seeks the aid of another vehicle, a person may not stand in a roadway to solicit a ride, employment, or business from the occupant of any vehicle.

(b) Soliciting persons to watch or guard vehicle – A person may not stand on or near a highway to solicit any other person to watch or guard any vehicle while it is parked or about to be parked on a highway.

21-508 Driving through a safety zone

A vehicle may not be driven at any time through a safety zone.

21-509 Controlled access highways

(a) Walking along highway – Except as provided in subsection (j) of this section, a pedestrian may not walk along a controlled access highway.

(b) Walking on highway – Except as provided in subsection (j) of this section, a pedestrian may not walk on a controlled access highway.

(c) Walking along ramps – Except as provided in subsection (j) of this section, a pedestrian may not walk along a ramp leading to or from a controlled access highway.

(d) Walking on ramps – Except as provided in subsection (j) of this section, a pedestrian may not walk on a ramp leading to or from a controlled access highway.

(e) Walking along access roads – Except as provided in subsection (j) of this section, a pedestrian may not walk along an access road leading to or from a controlled access highway.

(f) Walking on access roads – Except as provided in subsection (j) of this section, a pedestrian may not walk on an access road leading to or from a controlled access highway.

(g) Leaving vehicle on highway - Except as provided in subsection (j) of this section, a person may not leave any vehicle that is on a controlled access highway.

(h) Leaving vehicles on ramps – Except as provided in subsection (j) of this section, a person may not leave any vehicle that is on a ramp leading to or from a controlled access highway.

(i) Leaving vehicles on access roads – Except as provided in subsection (j) of this section, a person may not leave a vehicle that is on an access road leading to or from a controlled access highway.

(j) Exceptions– This section does not apply to a person if an emergency prevents the movement of a vehicle in which he is riding and the person goes only to the nearest telephone or other source of assistance, nor a person boarding or leaving a bus within a bus stop approved by the State Highway Administration.

21-510 Pedestrians to yield right-of-way to emergency vehicles.

(a) In general – A pedestrian who crosses a roadway shall yield the right-of-way to any approaching vehicle that is using audible and visual signals that meet the requirements of Section 22-218 of this article.

(b) Police vehicles using audible signal – A pedestrian who crosses a roadway shall yield the right-of-way to any approaching vehicle that is lawfully using an audible signal.

(c) Driver not relieved from duty of care. – This section does not relieve the driver of an emergency vehicle from the duty to drive with regard for the safety of all persons.

21-511 Right-of-way of blind and deaf pedestrians.

(a) In general – The driver of a vehicle shall yield the right-of-way to:

(1) A blind or partially blind pedestrian using a guide dog or carrying a cane predominantly white or metallic in color (with or without a red tip);

(2) A deaf or hearing impaired pedestrian accompanied by a guide dog; or

(3) A mobility impaired individual crossing a roadway while using any of the following mobility assisted devices:

- (i) A manual or motorized wheelchair;
- (ii) A motorized scooter;
- (iii) Crutches; or
- (iv) A cane.

(b) Use of white or metal cane by others prohibited. – A person who is not blind or partially blind may not use or carry a white cane, a cane that is white tipped with red or a chrome, nickel, aluminum or other reflective or shining metal cane, in the manner described in subsection (a) (1) of this section.

Subtitle 6 Turning and Starting; Signals on Stopping, Turning, and Starting

21-604 Turning, slowing, and stopping movements; required signals.

(a) Manner of making turn. - A person may not turn a vehicle at an intersection, unless the vehicle is in the position required by sub-section 21-601 of this subtitle.

(b) Entering private roads or driveways. – A person may not turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move it right or left on a roadway or from a shoulder or bikeway onto a roadway, unless the movement can be made with reasonable safety.

(c) Required signals. – A person may not, if any other vehicle might be affected by the movement, turn a vehicle until he gives an appropriate signal in the manner required by this subtitle.

(d) Where signals to be given. – When required, a signal of intention to turn right or left shall be given continuously during at least the last 100 feet traveled by the vehicle before turning; except that a bicyclist may interrupt the turning signal to maintain control of the bicycle.

21-606 Method of giving hand and arm signals

(a) In general – Except as otherwise provided, each required signal given by hand and arm shall be given from the left side of the vehicle in the manner specified in this section.

(b) Left turn – A left turn signal is given by the hand and arm extended horizontally.

(c) Right turn – A right turn signal is given by the hand and arm extended upward; except that a bicyclist may extend the right hand and arm horizontally to the right;

(d) Stop or decrease speed – A stop or decrease speed signal is given by the hand and arm extended downward.

Subtitle 10. Stopping, standing, or parking outside of business or residential districts.

21-1008 Bicycle accommodation

By fiscal year 2000, each public institution of higher education and state employment facility shall provide reasonable accommodation necessary for bicycle access, including parking for bicycles.

Subtitle 11. Miscellaneous Rules.

21-1103 Driving on sidewalk

(a) Driving prohibited – Except as provided in subsection (b), (c), or (d) of this section, a person may not drive a vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary driveway.

(b) Exceptions - Bicycles, play vehicles, etc. –

(1) For the purposes of this subsection, “bicycle” does not include “moped”, as defined in Section 11-134.1 of this article.

(2) Where permitted by local ordinance, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area.

(c) Same – Special vehicles of individuals with disabilities person. – Unless prohibited by local ordinance, an individual with a disability may use a special vehicle other than a wheelchair on sidewalks or sidewalk areas.

(d) Use of wheelchair on sidewalks. – An individual may use a wheelchair on sidewalks or sidewalk areas in accordance with subsection 21-501.1 of the title.

21-1114 Using roadway before opened; walking on new or newly repaired roadways; damaged highway or construction material.

(a) Using roadway before opened to traffic is prohibited. - A person may not drive on any new roadway or newly repaired roadway before it is opened to traffic.

(b) Walking on new or newly repaired roadways. – A person may not walk on any new roadway or newly repaired roadway before the roadway is opened to traffic.

21-1125 Limitations on driving low speed vehicles.

Notwithstanding any other provision of this title, a person may not drive a low speed vehicle:

- (1) On a highway for which the posted maximum speed limit exceeds 30 miles per hour;
- (2) On an expressway or another controlled access highway that is signed in accordance with 21-313 of this title;
- (3) On a highway on which driving a low speed vehicle is prohibited by a county or municipal ordinance; or
- (4) Across a highway for which the posted maximum speed limit exceeds 45 miles per hour, except at an intersection that is controlled by:
 - (i) A traffic control signal; or
 - (ii) A stop sign at each approach to the intersection.

Subtitle 12. Operation of Bicycles and Play Vehicles

21-1201 Scope of Subtitle

(a) Authorizing minor or ward to violate provisions. – The parent of any minor or guardian of any ward may not authorize the minor or ward to violate any provision of this subtitle.

(b) Knowingly permitting minor or ward to violate provision. – The parent of any minor or the guardian of any ward may not knowingly permit a minor or ward to violate any provision of this subtitle.

(c) Applicability of subtitle. – With the exceptions stated in this subtitle, the provisions of this subtitle that are applicable to bicycles apply whenever a bicycle, an EPAMD, or motor scooter is operated on any highway or whenever a bicycle or an EPAMD is operated on any path set aside for the exclusive use of bicycles.

21-1202 Traffic laws apply to bicycles and motor scooters

Every person operating a bicycle or a motor scooter in a public bicycle area has all the rights granted to and is subject to all the duties required of the the driver of a vehicle by this title, including the duties set forth in 21-504 of this title except:

- (1) As otherwise provided in this subtitle; and
- (2) For those provisions of this subtitle that by their very nature cannot apply.

21-1203 Riding on bicycles or motor scooters.

(a) Operator to be seated. – The operator of a bicycle or a motor scooter may ride the bicycle or motor scooter only on or astride a permanent and regular seat securely attached to it.

(b) Seat required for passenger. – Bicycle. – A bicycle may not carry any passenger unless it is designed for and equipped with a seat securely attached to it for each passenger.

(c) Same – Motor scooter. – A motor scooter may not carry any passenger unless it is designed for and equipped with a seat securely attached to it and footrests for each passenger.

21-1204 Clinging to vehicles.

(a) Exceptions. – This section does not apply to any log, skid, drag, or farm sled while used in agriculture or forestry practices.

(b) Bicycles and motor scooter. – A person riding on any bicycle or motor scooter may not attach it or himself to any vehicle on a roadway;

(c) Play vehicles – A person riding on any play vehicle may not attach it or himself to any vehicle on a roadway.

(d) Coasters. – A person riding on any coaster may not attach it or himself to any vehicle on a roadway.

(e) Skateboards. – A person riding on nay skateboard may not attach it or himself to any vehicle on a roadway.

(f) Roller skates. – A person on any roller skates may not attach them or himself to any vehicle on a roadway.

(g) Sleds. – A person riding a sled may not attach it or himself to any vehicle on a roadway.

(h) Toy vehicles. – A person on a toy vehicle may not attach it or himself to any vehicle on a roadway.

21-1205 Riding on roadways or on highway.

(a) Riding to right side of roadway. – Each person operating a bicycle or a motor scooter at a speed less than the speed traffic at the time and place and under the conditions then existing on a roadway shall ride as near to the right side of the roadway as practicable and safe, except when:

- (1) Making or attempting to make a left turn;
- (2) Operating on a one-way street;
- (3) Passing a stopped or slower moving vehicle;
- (4) Avoiding pedestrians or road hazards;
- (5) The right lane is a right turn lane; or
- (6) Operating in a lane that is too narrow for a bicycle or motor scooter and another vehicle to travel safely side by side within the lane.

(b) Riding two abreast. – Each person operating a bicycle or motor scooter on a roadway may ride two abreast only if the flow of traffic is unimpeded.

(c) Passing. – Each person operating a bicycle or motor scooter on a roadway shall exercise due care when passing a vehicle.

(d) Walking bicycles on right side of highway. – Each person operating a bicycle or motor scooter on a roadway may walk the bicycle or motor scooter on the right side of a highway if there is no sidewalk.

21-1205.1 Bicycles, motor scooters, and EPAMD's prohibited on certain roadways and highways; speed limit.

(a) In general - Notwithstanding any other provision of this title, a person may not ride a bicycle or motor scooter;

(1) On any roadway where the posted maximum speed limit is more than 50 miles per hour; or

(2) On any expressway, except on an adjacent bicycle path or way approved by the State Highway Administration, or on any other controlled access highway signed in accordance with 21-313 of this title.

(b) Roadway with bike lane or shoulder paved to a smooth surface. –

(1) Where there is a bike lane paved to a smooth surface or a shoulder paved to a smooth surface, a person operating a bicycle or a motor scooter shall use the bike lane or shoulder and may not ride on the roadway, except in the following situations:

(i) When overtaking and passing another bicycle, motor scooter, pedestrian, or other vehicle within the bike lane or shoulder;

(ii) When preparing for a left turn at an intersection or into an alley, private road, or driveway;

(iii) When reasonably necessary to leave the bike lane or shoulder to avoid debris or other hazardous condition; or

(iv) When reasonably necessary to leave the bike lane or shoulder because the bike lane or shoulder is overlaid with a right turn lane, merge lane, or other marking that breaks the continuity of the bike lane or shoulder.

(2) A person operating a bicycle or a motor scooter may not leave a bike lane or shoulder until the movement can be made with reasonable safety and the only after giving an appropriate signal.

(3) The Department shall promulgate rules and regulations pertaining to this subsection which will include, but not limited to, a definition of "smooth surface."

(c) Motor scooter speed limit – A motor scooter may not be operated at a speed in excess of 30 miles per hour.

(d) Restrictions on operating EPAMDs. – Notwithstanding any other provision of this title, a person may not operate an EPAMD on any roadway where there are sidewalks adjacent to the roadway or the posted maximum speed limit is more than 30 miles per hour.

(e) EPAMD speed limit – An EPAMD may not be operated at a speed in excess of 15 miles per hour.

12-1206 Carrying articles; tampering with bicycle, motor scooter or EPAMDs.

Transporting articles – A person may not operate a bicycle, an APAMD, or a motor scooter while carrying any package, bundle, or other article that prevents the person from keeping both hands on the handlebars.

Interfering with view or balance of operator. – A person may not carry on a bicycle, an EPAMD, or motor scooter any package, bundle, or other article that interferes with the view or balance of the operator.

Tampering with bicycle, motor scooter, or EPAMD. – A person may not remove, ride on, or tamper with any part of a bicycle, an EPAMD, or a motor scooter without permission of its owner.

21-1207 Lamps and other equipment on bicycles and motor scooters.

(a) Lamp and reflector. –

(1) If a bicycle or motor scooter is used on a highway at any time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet, the bicycle or motor scooter shall be equipped:

(i) On the front, with a lamp that emits a white light visible from a distance of at least 500 feet to the front; and

(ii) On the rear, with a red reflector of a type approved by the Administration and visible from all distances from 600 feet to 100 feet to the area when directly in front of lawful upper beams of head lamps on a motor vehicle.

(2) A bicycle or bicyclists may be equipped with a lamp that emits a red light or a flashing amber light visible from a distance of 500 feet to the rear in addition to the red reflector required by paragraph (1) of this subsection.

(b) Bell – A person may not operate a bicycle or a motor scooter unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet

(c) Sirens or whistles. – However, a bicycle or motor scooter may not be equipped with nor may any person use on a bicycle any siren or whistle.

(d) Brake. – Every bicycle and motor scooter shall be equipped with a brake that enables its operator to make the braked wheels skid on dry, level, clean pavement.

21-1207.1 Helmets required.

(a) In general.

(1) The provisions of this section apply:

(i) At all times while a bicycle is being operated on any highway, bicycle way, or other property open to the public or used by the public for pedestrian or vehicular traffic; and

(ii) To a person under the age of 16 who is riding a bicycle, including a person under the age of 16 who is a passenger on a bicycle; or

1. In a restraining seat attached to the bicycle; or

2. In a trailer being towed by the bicycle.

(2) The provisions of this section do not apply to passengers in commercial bicycle rickshaws.

(b) Inapplicable on Ocean City boardwalk – This section does not apply in the town of Ocean City, Maryland, on the boardwalk between the Ocean City inlet and 27 th Street, during the hours in which bicycles are permitted by local ordinance to be operated on the boardwalk.

(c) Helmets. – A person to whom this section applies may not operate or ride as a passenger on a bicycle unless the person is wearing a helmet that meets or exceeds the standards of the American National Institute, the Snell Memorial Foundation's standard, or the standards of the American Society of Testing and Measurements for protective headgear for use in bicycling.

(d) Enforcement. – This section shall be enforced by the issuance of a warning that informs the offender of the requirements of this section and provides educational materials about bicycle helmet use.

21-1207.2 Protective helmets.

(a) Required; standards – An individual under the age of 16 years may not ride a scooter or in-line skates on any highway, bicycle way, sidewalk, or other property open to the public or used by the public for pedestrian or vehicular traffic, unless the individual is wearing a helmet that meets or exceeds the standards of the American National Standards Institute, the Snell Memorial Foundation, or the American Society of Testing and Measurements for protective headgear for use in bicycling or in-line skating.

(b) Enforcement – This section shall be enforced by issuance of a warning that informs the offender of the requirements of this section and provides educational materials about helmet use.

21-1208 Securing bicycle, motor scooter or EPAMD to certain objects.

(a) Prohibition – A person may not secure a bicycle, an APAMD, or a motor scooter to a fire hydrant, police or fire call box, or traffic control device.

(b) Poles, etc. within bus or taxi zones. – A person may not secure a bicycle, an EPAMD, or motor scooter to a pole, meter, or device located within a bus or taxi loading zone.

(c) Poles, etc. within 25 feet of intersection – A person may not secure a bicycle, an EPAMD or a motor scooter a bicycle, an EPAMD, or motor scooter to a pole, meter, or device located within 25 feet of an intersection.

(d) Poles, etc. having forbidding securing of bicycles. – A person may not secure a bicycle, an EPAMD, or motor scooter to a pole, meter or device on which notice has been posted by the appropriate authorities forbidding the securing of bicycles.

(e) Obstructing or impeding traffic or pedestrian movement. – A person may not secure a bicycle, an EPAMD, or motor scooter to any place where the securing of a bicycle or motor scooter would obstruct or impede vehicular traffic or pedestrian movement.

(f) Securing to parking meter. – A bicycle, an EPAMD or a motor scooter may be secured to a parking meter, without payment of the usual fees, if it is entirely removed from the bed of the street normally used for vehicular parking.

21-1209 Throwing object at bicycle, motor scooter or EPAMD.

(a) Drivers to exercise due care. – Notwithstanding any other provision of this title, the driver of a vehicle shall exercise due care to avoid colliding with any bicycle, an EPAMD, or motor scooter being ridden by a person.

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

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

21-1210 Wearing earplugs, headsets, etc., prohibited.

(a) Wearing headset coverings. – A person may not operate a bicycle, an EPAMD, or a motor scooter on any highway, or on any roadway, while the person is wearing any headset covering both ears.

(b) Earplugs – A person may not operate a bicycle, an EPAMD, or motor scooter on any highway, or on any roadway, while the person is wearing any earplugs in both ears.

(c) Exceptions – The provisions of this section do not apply to:

(1) Any person wearing personal protectors in the form of custom earplugs or molds that are designed to attenuate injurious noise levels, if the custom plugs or molds are designed in such a manner as to not inhibit the wearer's ability to hear a siren or horn from an emergency vehicle or a horn from another vehicle;

(2) Any person wearing a prosthetic device used to aid the hard of hearing; or

(3) Any person operating a bicycle on a public bicycle pathway expressly authorized for the use of persons operating bicycles.

21-1211 Bicycle racing events

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

(b) Conditions for approval – The State Highway Administration or a local authority may approve a bicycle racing event only under conditions that:

(1) Provide reasonable safety for race participants, spectators, and other highway or highway bridges users; and

(2) Prevent unreasonable interference with traffic flow that would seriously inconvenience other highway or highway bridge user.

(c) Exception from provisions of vehicle law – If traffic control adequately assures the safety of participants, spectators, and other highway or highway bridges users, the State Highway Administration or a local authority may except participants in an approved bicycle racing event from compliance with other provisions of the Maryland Vehicle Law that otherwise would be applicable to the other participants in the bicycle racing event.

21-1212 Copies of summaries of laws and regulations

The Administration shall publish copies or summaries of the regulations and laws of this State that regulate the operation of bicycles and make them available, on request and without cost to every dealer engaged in the retail sale of bicycles in this State. These dealers shall provide a copy to each person who buys a bicycle.

Subtitle 14. Operation of vehicles on Certain Toll Facilities

21-1401 Definitions

(a) In general. – In this subsection the following words have the meanings indicated.

(b) Approach – “Approach” means any roadway, overhead structure, ramp, bridge, causeway, entrance, and exit provided as a means of access to or departure from a vehicular crossing.

(c) Bridge – “Bridge” means any bridge within the jurisdiction of the Maryland Transportation Authority.

(d) Tunnel – “Tunnel” means:

(1) The Baltimore Harbor Tunnel; and

(2) Any other tunnel within the jurisdiction of the Maryland Transportation Authority.

(e) Vehicular crossing – “Vehicular crossing” means:

(1) Each tunnel and bridge within the jurisdiction of the Maryland Transportation Authority; and

(2) Each approach to these tunnels or bridges.

21-1405 Pedestrians and bicycles prohibited.

(a) Pedestrians – Pedestrians may not use any vehicular crossing

(b) Bicycles – Bicycles may not use any vehicular crossing.

21-1406 Hitchhiking and pickup or discharge of passengers prohibited.

A person may not hitchhike on any vehicular crossing and a motorist may not pick up or discharge any person on any vehicular crossing.