

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 250 (Delegate McMillan)
Environmental Matters

Judicial Proceedings

Vehicle Laws - Definition of "Bicycle" - Mopeds

This bill clarifies that the definition of “bicycle” includes “moped.” Existing provisions which treat mopeds differently from bicycles under certain circumstances remain in the Maryland Vehicle Law.

Fiscal Summary

State Effect: None, as any related enforcement can be handled with existing resources. No material effect on revenues.

Local Effect: None, as any related enforcement can be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: A “vehicle” is any device (except an electric personal assistive mobility device) in, on, or by which an individual or property may be transported or towed on a highway.

A “bicycle” is a vehicle that (1) is designed to be operated by human power; (2) has two or three wheels, with one being more than 14 inches in diameter; and (3) has a drive mechanism other than pedals directly attached to a drive wheel.

A “moped” is a bicycle with pedals and either two or three wheels (one of which is at least 14 inches in diameter), and which is assisted by a motor of at most 1.5 horsepower, or 50 cubic centimeters capacity if the motor is an internal combustion engine.

Except for a moped, a certificate of title is not required by the Maryland Vehicle Law for a bicycle. A moped is not considered a bicycle for the purposes of those provisions which authorize a person, if allowed by local ordinance, to ride a bicycle, play vehicle, or unicycle on a sidewalk. The Maryland Vehicle Law requires any person riding a moped to wear a helmet, whereas for bicycles, helmets are only required for riders and passengers who are younger than age 16. The Maryland Vehicle Law also requires moped operators to carry insurance, as specified, but does not impose a similar requirement on the riders of bicycles. Moreover, the Maryland Vehicle Law requires an operator of a moped to either have a driver's license or a moped operator's license.

Except as otherwise provided, every person operating a bicycle or motor scooter in a public bicycle area has all the rights and is subject to all the duties required of a driver of a vehicle, including the duties to exercise due care to avoid collisions, to warn pedestrians, and to exercise precaution when encountering children or incapacitated individuals. This obligation does not apply for those provisions that, by their very nature, cannot apply to bicyclists and motor scooter operators.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Maryland Department of Transportation, Department of Legislative Services

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mm/ljm

Analysis by: Karen D. Morgan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510