

SENATE BILL 164

R5

6lr1475

By: **Senator Gladden**

Introduced and read first time: January 18, 2016

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Motorcycles – Restrictions on Child Passengers**

3 FOR the purpose of prohibiting a person under a certain age from riding on a motorcycle;
4 prohibiting a person who is a certain age from riding on a motorcycle unless the
5 person's feet reach and rest on the footrests on the motorcycle; and generally relating
6 to child passengers on motorcycles.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 21–1302
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Transportation
14 Section 21–1305
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2015 Supplement)

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

19 **Article – Transportation**

20 21–1302.

21 (a) The operator of a motorcycle may ride the motorcycle only on the permanent
22 and regular seat attached to it.

23 (b) The operator of a motorcycle may not carry any other person unless the
24 motorcycle is designed to carry more than one person, in which event a passenger may ride

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 on the permanent and regular seat, if designed for two persons, or on another seat firmly
2 attached to the motorcycle at the rear or side of the operator.

3 (c) A person other than the operator of a motorcycle may not ride on a motorcycle
4 unless the motorcycle is designed to carry more than one person, in which event a passenger
5 may ride on the permanent and regular seat, if designed for 2 persons, or on another seat
6 firmly attached to the motorcycle at the rear or side of the operator.

7 (d) A person may ride on a motorcycle only while sitting astride the seat, facing
8 forward, with one leg on each side of the motorcycle.

9 (e) A person may not operate a motorcycle while carrying any package, bundle,
10 or other article that prevents him from keeping both hands on the handlebars.

11 (f) The operator of a motorcycle may not carry any person in a position that
12 interferes with the operation or control of the motorcycle or the view of the operator.

13 (g) A person other than the operator of a motorcycle may not ride in a position
14 that interferes with the operation or control of the motorcycle or the view of the operator.

15 **(H) (1) A PERSON UNDER THE AGE OF 10 YEARS MAY NOT RIDE ON A**
16 **MOTORCYCLE.**

17 **(2) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, A PERSON**
18 **UNDER THE AGE OF 12 YEARS MAY NOT RIDE ON A MOTORCYCLE UNLESS THE**
19 **PERSON'S FEET ARE ABLE TO REACH AND REST ON THE FOOTRESTS REQUIRED**
20 **UNDER § 21-1305 OF THIS SUBTITLE.**

21 21-1305.

22 (a) If any motorcycle carries a passenger other than in a sidecar or enclosed cab,
23 the motorcycle shall be equipped with footrests for the passenger.

24 (b) A person may not operate any motorcycle with handlebars more than 15
25 inches in height above the part of the seat occupied by the operator.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2016.