

HOUSE BILL 713

R2

2lr0434

By: **Delegates Lehman, Pena–Melnik, Forbes, Fraser–Hidalgo, Healey, Hill, Kaiser, Love, Proctor, Ruth, Shetty, Terrasa, Toles, and Williams**

Introduced and read first time: January 31, 2022

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2022

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Horse Riding – Helmet Requirement for Minors**

3 FOR the purpose of prohibiting an adult from allowing a minor to ride a horse on certain
4 property unless the minor is wearing a helmet that meets certain standards; and
5 generally relating to helmet requirements and horse riding.

6 BY repealing and reenacting, with amendments,

7 Article – Transportation

8 Section 21–104

9 Annotated Code of Maryland

10 (2020 Replacement Volume and 2021 Supplement)

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

13 **Article – Transportation**

14 21–104.

15 (a) Every person riding an animal or driving an animal–drawn vehicle on a
16 roadway has all the rights granted to and is subject to all the duties required of the driver
17 of a vehicle by this title, except for those provisions of this title that by their very nature
18 cannot apply.

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 (b) (1) Except in Charles, Worcester, and St. Mary's counties, or as provided
2 in paragraph (2) of this subsection, a person may not ride an animal or drive an
3 animal-drawn vehicle on:

4 (i) Any divided highway where the posted maximum speed limit is
5 more than 35 miles per hour; or

6 (ii) Any controlled access highway.

7 (2) In Anne Arundel County, a person may ride an animal on any part of a
8 highway described in paragraph (1) of this subsection, other than on its roadway or
9 shoulder.

10 (c) (1) IN THIS SUBSECTION, "HORSE" INCLUDES DONKEYS, MULES, AND
11 PONIES.

12 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,
13 THIS SUBSECTION APPLIES ONLY TO HORSE RIDING ON:

14 1. A HIGHWAY;

15 2. A PUBLIC HORSE-RIDING PATH; OR

16 3. ANY OTHER PROPERTY OPEN TO THE PUBLIC OR
17 USED BY THE PUBLIC FOR PEDESTRIAN OR VEHICULAR TRAFFIC.

18 (II) THIS SUBSECTION DOES NOT APPLY TO A MINOR WHO IS:

19 1. PRACTICING FOR, ~~RIDING TO OR FROM,~~ OR
20 COMPETING OR PERFORMING IN A SHOW OR EVENT WHERE HELMETS ARE NOT
21 HISTORICALLY PART OF THE SHOW OR EVENT;

22 2. CROSSING A PUBLIC HIGHWAY THAT SEPARATES
23 PRIVATELY OWNED LAND; OR

24 3. ENGAGED IN AN AGRICULTURAL PRACTICE OR
25 PURSUIT.

26 (3) AN ADULT WHO IS PRESENT AND DIRECTLY SUPERVISING A
27 MINOR MAY NOT ALLOW THE MINOR TO RIDE A HORSE UNLESS THE MINOR IS
28 WEARING A PROPERLY SECURED HELMET THAT MEETS OR EXCEEDS THE
29 STANDARDS OF THE AMERICAN SOCIETY OF TESTING AND MATERIALS FOR
30 PROTECTIVE HEADGEAR USED IN EQUESTRIAN RIDING.

1 (4) A VIOLATION OF THIS SUBSECTION INVOLVING AN ADULT
2 SUPERVISING MULTIPLE MINORS AT THE SAME TIME SHALL BE TREATED AS A
3 SINGLE VIOLATION.

4 ~~(5) A VIOLATION OF THIS SUBSECTION IS PRIMA FACIE EVIDENCE OF~~
5 ~~NEGLIGENCE.~~

6 ~~(6) A PERSON WHO IS CONVICTED OF A VIOLATION OF THIS~~
7 ~~SUBSECTION IS SUBJECT TO:~~

8 ~~(I) FOR A FIRST OFFENSE, A WRITTEN WARNING THAT INFORMS~~
9 ~~THE OFFENDER OF THE REQUIREMENTS OF THIS SECTION;~~

10 ~~(II) FOR A SECOND OFFENSE, A FINE OF \$50; AND~~

11 ~~(III) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF \$100.~~

12 ~~(7) A POLICE OFFICER WHO CHARGES AN INDIVIDUAL WITH A~~
13 ~~VIOLATION OF THIS SUBSECTION SHALL PROVIDE THE MINOR WHO IS THE SUBJECT~~
14 ~~OF THE VIOLATION WITH EDUCATIONAL MATERIALS THAT PROVIDE INFORMATION~~
15 ~~ABOUT THE REQUIREMENTS OF THIS SUBSECTION AND PROPER HELMET USE WHILE~~
16 ~~HORSEBACK RIDING.~~

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.