

# HOUSE BILL 102

R5  
HB 1207/23 – ENT

(PRE-FILED)

4lr1165

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By: **Delegate Miller**

Requested: October 25, 2023

Introduced and read first time: January 10, 2024

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Motorcycles – Passenger Restrictions**

3 FOR the purpose of requiring a rear passenger on a motorcycle to be able to firmly position  
4 the passenger's feet on the footrests of the motorcycle, subject to a certain exception;  
5 and generally relating to passenger restrictions for motorcycles.

6 BY repealing and reenacting, with amendments,

7 Article – Transportation

8 Section 21–1302

9 Annotated Code of Maryland

10 (2020 Replacement Volume and 2023 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 21–1302.

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

17 (b) The operator of a motorcycle may not carry any other person unless the  
18 motorcycle is designed to carry more than one person, in which event a passenger may ride  
19 on the permanent and regular seat, if designed for two persons, or on another seat firmly  
20 attached to the motorcycle at the rear or side of the operator.

21 (c) **(1)** A person other than the operator of a motorcycle may not ride on a  
22 motorcycle unless the motorcycle is designed to carry more than one person, in which event

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 a passenger may ride on the permanent and regular seat, if designed for [2] TWO persons,  
2 or on another seat firmly attached to the motorcycle at the rear or side of the operator.

3           **(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
4 **PARAGRAPH, A PASSENGER MAY NOT RIDE ON A MOTORCYCLE ON A SEAT AT THE**  
5 **REAR OF THE OPERATOR UNLESS THE PASSENGER IS ABLE TO POSITION THE**  
6 **PASSENGER’S FEET FIRMLY ON THE FOOTRESTS WHILE SEATED.**

7           **(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY**  
8 **TO A PASSENGER ON A MOTORCYCLE WHO IS UNABLE TO POSITION THE**  
9 **PASSENGER’S FEET FIRMLY ON THE FOOTRESTS DUE TO A PERMANENT PHYSICAL**  
10 **DISABILITY.**

11           (d) A person may ride on a motorcycle operated under a Class M driver’s license  
12 only while sitting astride the seat, facing forward, with one leg on each side of the  
13 motorcycle.

14           (e) A person may not operate a motorcycle while carrying any package, bundle,  
15 or other article that prevents the person from keeping both hands on the steering  
16 mechanism.

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

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

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2024.