

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 826

(Senator Smith)

Judicial Proceedings

Vehicle Laws - Bicycles - Operation at Intersections

This bill authorizes a person operating a bicycle, when approaching a stop sign at an intersection with a highway that has two or fewer lanes for moving traffic, to cautiously make a turn or proceed through the intersection without stopping if the person (1) reduces the speed of the bicycle to a reasonable rate and (2) yields the right-of-way to any vehicle in the intersection or any approaching vehicle on another highway that is near enough to the intersection to pose an immediate danger. The bill also makes technical and conforming changes.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: The bill does not materially affect local government operations or finances.

Small Business Effect: None.

Analysis

Current Law: 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. In general, the term includes an electric bicycle, a moped, and an electric low-speed scooter.

The Maryland Vehicle Law specifies that every person operating a bicycle in a public bicycle area has all the rights granted to and is subject to all the duties required of the driver of a vehicle, except for rules of the road that by their very nature cannot apply or as

otherwise provided in Title 21, Subtitle 12 of the Transportation Article. Additionally, a person who is lawfully operating a bicycle on a sidewalk or sidewalk area or in or through a crosswalk generally has the same rights and restrictions applicable to pedestrians under the vehicle law.

Unless otherwise directed by a police officer or traffic control signal, the driver of a vehicle (including the operator of a bicycle) approaching a stop sign at an intersection must stop at the near side of the intersection at a clearly marked stop line. If there is no clearly marked stop line, the driver must stop before entering any crosswalk; if there is no crosswalk, the driver must stop at the nearest point before entering the intersection that gives the driver a view of traffic approaching on the intersecting roadway.

State Fiscal Effect: The Maryland Department of Transportation (MDOT) anticipates \$50,000 in expenditures for education and outreach materials on the bill's changes to traffic laws for bicycles. The Department of Legislative Services advises that while it is understandable that MDOT would want to develop these materials, this is not a requirement under the bill.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1289 of 2023.

Designated Cross File: HB 511 (Delegates Boyce and Embry) - Environment and Transportation.

Information Source(s): Harford and Montgomery counties; cities of Baltimore, Frederick, and Havre de Grace; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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