



APPENDIX C

State Law Related to Cycling and Walking

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The Annotated Code of Maryland is the official register of state laws that are organized by subject matter. Within the Transportation section, many provisions across a variety of subject areas (or Titles) impact walking and bicycling and the following is a list of excerpts of legislative language that relates to walking and bicycling. This text is current as of December 2018. The Annotated Code of Maryland is available in its entirety online.

TRANSPORTATION

TITLE 2. DEPARTMENT OF TRANSPORTATION

SUBTITLE 1. ORGANIZATION AND GENERAL AUTHORITY OF THE DEPARTMENT

§ 2-112. Complete Streets Policy

(a) (1) In this section the following words have the meanings indicated.

(2) (i) "Complete streets design features" means design features that accommodate and facilitate safe and convenient access and mobility to facilities by all users, including bicyclists, motorists, pedestrians, and public transportation users.

(ii) "Complete streets design features" includes:

1. Paved shoulders suitable for use by bicyclists;
2. Protected bicycle lanes;
3. Share the road signage;
4. Crosswalks;
5. Pedestrian control signals;
6. Bus access and safety measures;
7. Sidewalks;
8. Shared use pathways; and
9. Green stormwater infrastructure.

(3) "Complete streets policy" means a policy that provides information for the implementation of complete streets design features during the planning, design, construction, and reconstruction of a facility.

(4) "Facility" means:

- (i) An airport facility, as defined in § 5-101 of this article, that is owned or operated by the State;
- (ii) A State highway, as defined in § 8-101 of this article; and
- (iii) A transit facility, as defined in § 7-101 of this article.

(5) "Green stormwater infrastructure" means infrastructure implemented using best management practices that reduce the volume of stormwater runoff through infiltration, evapotranspiration, the beneficial reuse of water, or any other effective method.

(b) This section applies to a facility in:

- (1) The Maryland Aviation Administration, as required under § 5-408.1 of this article;
- (2) The Maryland Transit Administration, as required under § 7-310 of this article; and
- (3) The State Highway Administration, as required under § 8-204.1 of this article.

(c) Except as provided in subsection (d) of this section, a complete streets policy adopted in accordance with this section shall:

- (1) Be implemented with the objective of creating a comprehensive, integrated, and connected transportation network that allows users to choose among different modes of transportation;
 - (2) Ensure that all users are considered during the planning, design, construction, and reconstruction phases of a facility;
 - (3) Benefit all users equitably to the extent feasible while taking into consideration the needs of the most underinvested and underserved communities;
 - (4) When practicable, require the accommodation of other modes of transportation;
 - (5) Recognize that all facilities are different and user needs should be balanced to ensure community enhancement; and
 - (6) Incorporate best practices related to complete streets design features.
- (d) Exceptions to the requirements of this section may be adopted when circumstances or laws exist that prohibit or limit the ability to provide favorable conditions for all modes of transportation.

SUBTITLE 6. BICYCLE AND PEDESTRIAN ACCESS

§ 2-602 Public Policy

The General Assembly finds that it is in the public interest for the State to include enhanced transportation facilities for pedestrians and bicycle riders as an essential component of the State's transportation system, and declares that it is the policy of the State that:

- (1) Access to and use of transportation facilities by pedestrians and bicycle riders shall be considered and best engineering practices regarding the needs of bicycle riders and pedestrians shall be employed in all phases of transportation planning, including highway design, construction, reconstruction, and repair as well as expansion and improvement of other transportation facilities;
- (2) The modal administrations in the Department shall ensure that the State maintains an integrated transportation system by working cooperatively to remove barriers, including restrictions on bicycle access to mass transit, that impede the free movement of individuals from one mode of transportation to another;
- (3) As to any new transportation project or improvement to an existing transportation facility, the Department shall work to ensure that transportation options for pedestrians and bicycle riders will be enhanced and that pedestrian and bicycle access to transportation facilities will not be negatively impacted by the project or improvement; and
- (4) In developing the annual Consolidated Transportation Program, the Department shall:
 - (i) Ensure that there is an appropriate balance between funding for:
 1. Projects that retrofit existing transportation projects with facilities for pedestrians and bicycle riders; and
 2. New highway construction projects; and
 - (ii) In transit-oriented areas within priority funding areas, as defined in § 5-7B-02 of the State Finance and Procurement Article, place increased emphasis on projects that retrofit existing transportation projects with facilities for pedestrians and bicycle riders and increase accessibility for the greatest number of pedestrians and bicycle riders.

§ 2-604. Bicycle-Pedestrian Master Plan

(a) Requirements; goals of Plan. -- The Director shall develop and coordinate policies and plans for the provision, preservation, improvement, and expansion of access to transportation facilities in the State for pedestrians and bicycle riders, including development of a Statewide 20-Year Bicycle-Pedestrian Master Plan that:

- (1) (i) Identifies short-term and long-range goals that are consistent with the purposes of this subtitle; and
- (ii) For each identified goal, includes:

1. Reasonable cost estimates for achieving the goal; and
 2. For purposes of the annual report required under § 3-216 of this article, objective performance criteria against which progress in achieving the goal can be measured;
- (2) Complies with applicable federal funding requirements;
 - (3) Provides a model to guide political subdivisions of the State in enhancing bicycle and pedestrian access to transportation facilities;
 - (4) Proposes long-term strategies for improving the State's highways to ensure compliance with the most advanced safety standards for pedestrians and bicycle riders; and
 - (5) After consultation with political subdivisions in the State, identifies bicycle-pedestrian priority areas to facilitate the targeting of available funds to those areas of the State most in need.
- (b) Revision of Plan at time of revision of Maryland Transportation Plan. -- The Statewide 20-Year Bicycle-Pedestrian Master Plan shall be reviewed and updated each year that the Maryland Transportation Plan, as described in § 2-103.1 of this title, is revised.
- (c) Duties of Director. -- To carry out the purposes of this subtitle, the Director shall:
- (1) Participate in the planning of new transportation facilities and improvements to existing transportation facilities;
 - (2) Advise the Secretary on matters concerning bicycle and pedestrian access and any other matter as requested by the Secretary;
 - (3) Initiate a program of systematic identification of and planning for projects related to bicycle and pedestrian transportation that qualify for funds under Federal Highway Administration guidelines;
 - (4) Monitor State transportation plans, proposals, facilities, and services to ensure maximum benefits for pedestrians and bicycle riders in the State; and
 - (5) Consult regularly with the Bicycle and Pedestrian Advisory Committee established under § 2-606 of this subtitle.
- (d) Secretary's authority. -- The exercise of the powers and duties of the Director is subject to the authority of the Secretary.

§ 2-606. Bicycle and Pedestrian Advisory Committee

- (a) Purpose. -- The Governor shall appoint a Bicycle and Pedestrian Advisory Committee to provide guidance to State agencies concerning:
- (1) Funding of bicycle and pedestrian related programs;
 - (2) Public education and awareness of bicycling and pedestrian related activities;
 - (3) Public education and awareness of bicycling and pedestrian safety; and
 - (4) Any other issue directly related to bicycling and pedestrians.
- (b) Composition. -- The Committee shall consist of the following:
- (1) One representative each from:
 - (i) The Department of Transportation;
 - (ii) The Department of Natural Resources;
 - (iii) The State Department of Education;
 - (iv) The Department of State Police;
 - (v) The Department of Business and Economic Development;

- (vi) The Department of Health and Mental Hygiene;
- (vii) The Department of Planning;
- (viii) The Department of Disabilities; and
- (ix) The Maryland-National Capital Park and Planning Commission;
- (2) One citizen member from each of the following areas:
 - (i) The Eastern Shore;
 - (ii) Western Maryland; and
 - (iii) Southern Maryland;
- (3) Two citizen members from each of the following areas:
 - (i) The Baltimore metropolitan area; and
 - (ii) The Washington metropolitan area; and
- (4) Up to six citizen members selected to represent the interests of bicyclists, pedestrians, and the disabled community to include:
 - (i) A representative of individuals who are visually impaired; and
 - (ii) A representative of individuals who are mobility impaired.
- (c) Citizen members; qualifications. -- One of the citizen members selected under subsection (b) of this section shall have an expertise in bicycle and pedestrian safety.
- (d) Maximum membership. -- The total membership of the Committee may not exceed 22 members.
- (e) Chairman. -- The Governor shall select a chairman from among the citizen members.
- (f) Terms. --
 - (1) The term of a member is 4 years.
 - (2) The terms of members are staggered as required by the terms provided for members of the Committee on October 1, 2001.
 - (3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
 - (4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (g) Business procedures. -- The Committee may adopt procedures necessary to ensure the orderly transaction of business.
- (h) Meetings. -- The Committee shall hold regular meetings as it deems appropriate.
- (i) Reimbursements. -- A member of the Committee may not receive compensation but shall be reimbursed for expenses under the Standard State Travel Regulations, as provided for in the State budget.
- (j) Staff, support, operating expenses. -- The Department shall provide staff, administrative support, and operating expenses for the Committee as provided in the State budget.

§ 2-607. Pedestrian Safety Program

- (a) "Program" defined. -- In this section, "Program" means the Maryland Pedestrian Safety Program.
- (b) Established. -- There is a Pedestrian Safety Program within the Department.
- (c) Funding. -- The Program is funded by:
 - (1) The Highway Safety Operating Program of the State Highway Administration; and

- (2) Any other moneys accepted for the benefit of the Program from any governmental or private source.
- (d) Grants -- Awards; matching funds. --
 - (1) The Secretary shall award grants under the Program to counties, municipalities, and nonprofit organizations to carry out the provisions of this section.
 - (2) When awarding grants under the Program, the Secretary shall consider any matching fund an applicant proposes to provide.
- (e) Grants -- Purposes. -- Counties, municipalities, and nonprofit organizations may apply for grants under the Program for the following purposes:
 - (1) To educate automobile drivers and pedestrians about methods to increase pedestrian safety;
 - (2) To enhance efforts to enforce State and local motor vehicle laws that protect the safety of pedestrians;
 - (3) To design or redesign intersections to increase pedestrian safety and access; and
 - (4) To enhance safe pedestrian access to transit facilities as defined in § 3-101 of this article.
- (f) Grants -- Application procedures. -- The Secretary shall establish procedures for counties, municipalities, and nonprofit organizations to apply for grants under the Program.

TITLE 5. AVIATION

SUBTITLE 4. ESTABLISHMENT AND OPERATION OF STATE AND LOCAL AIRPORTS

§ 5-408.1. Complete streets policy

- (a) In this section, "complete streets policy" has the meaning stated in § 2-112 of this article.
- (b) The Administration shall, in accordance with § 2-112 of this article, adopt a complete streets policy for airport facilities owned or operated by the State.

TITLE 7. MASS TRANSIT

SUBTITLE 3. TRANSIT PLANS AND FINANCING

§ 7-310. Complete streets policy

- (a) In this section, “complete streets policy” has the meaning stated in § 2–112 of this article.
- (b) The Administration shall, in accordance with § 2–112 of this article, adopt a complete streets policy for transit facilities.

SUBTITLE 9. RAILROADS

§ 7-902. Passenger railroad services

- (f) Regulations. -- The Administration shall adopt regulations to facilitate the transportation of bicycles on board passenger railroad services.

TITLE 8. HIGHWAYS

SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS

§ 8-101. Definitions

- (d) Bicycle and pedestrian priority area. -- “Bicycle and pedestrian priority area” means a geographical area where the enhancement of bicycle or pedestrian traffic is a priority.
- (i) Highway. -- “Highway” includes:
 - (1) Rights-of-way, roadway surfaces, roadway subgrades, shoulders, median dividers, drainage facilities and structures, related stormwater management facilities and structures, roadway cuts, roadway fills, guardrails, bridges, highway grade separation structures, railroad grade separations, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, and other structures forming an integral part of a street, road, or highway, including bicycle and walking paths; and
 - (2) Any other property acquired for the construction, operation, or use of the highway.

SUBTITLE 2. STATE HIGHWAY ADMINISTRATION

§ 8-204. General powers and duties of Administration

- (a) In addition to the specific powers granted and duties imposed by this title, the Administration has the powers and duties set forth in this section.
- (b) The Administration may adopt rules and regulations to carry out the provisions of this title.
- (c) (1) The Administration shall:
 - (i) Determine and may change from time to time the location, construction, geometrics, design, and maintenance of the State highway system; and
 - (ii) 1. If there is a State highway within the limits of an area that a local government has designated as a bicycle and pedestrian priority area, make a determination on whether the Administration should also designate the area as a bicycle and pedestrian priority area:
 - A. On or before September 30, 2016, if the local government notified the Administration of its designation on or before September 30, 2015; or
 - B. Within 1 year of notification, if the local government notifies the Administration of its designation on or after October 1, 2015; and

2. If the Administration and a local government each designate an area as a bicycle and pedestrian priority area, implement a plan developed in cooperation with the local government to increase safety and access for bicycle or pedestrian traffic.

(2) If there is no State highway within the limits of the bicycle and pedestrian priority area, the plan shall be developed by the local government.

(3) A plan for traffic management in a bicycle and pedestrian priority area shall provide for:

(i) Appropriate changes to the location, construction, geometrics, design, and maintenance of the State highway system to increase safety and access for bicycle or pedestrian traffic in the bicycle and pedestrian priority area; and

(ii) The appropriate use of traffic control devices including pedestrian control signals, traffic signals, stop signs, and speed bumps.

(d) The Administration may consult, confer, and contract with any agency or representative of the federal government, this State, or any other state or with any other person in furtherance of the duties of the Administration and the purposes of this title.

(e) (1) Subject to § 2-103.4 of this article, the Administration may employ engineers, accountants, professional and technical experts, surveyors, skilled and unskilled laborers, advisors, consultants, and any other agents and employees that it considers necessary to carry out its powers and duties.

(2) Any employee of the Administration may be bonded under Title 9, Subtitle 17 of the State Government Article.

(3) The Administration may determine the compensation of executive management positions, as recommended by the Secretary of Transportation and approved by the Governor, subject to approval in the budget.

(f) The Administration may purchase any machines, tools, implements, appliances, supplies, materials, and working agencies that it considers necessary to carry out any of its powers or duties under this title.

(g) The Administration may rent or lease any offices and other places that it considers necessary to carry out its powers and duties.

(h) By rules or regulations consistent with the safety and welfare of the traveling public, the Administration may govern the control and use of rest areas, scenic overlooks, roadside picnic areas, and other public use areas within State highway rights-of-way.

(i) The Administration shall:

(1) Plan, select, construct, improve, and maintain the State highway system; and

(2) By July 1, 1997, in coordination with local governments, draft a plan for a bicycle priority route system that provides a viable network for bicycle transportation throughout the State.

§ 8-204.1. Complete streets policy

(a) In this section, "complete streets policy" has the meaning stated in § 2-112 of this article.

(b) The Administration shall, in accordance with § 2-112 of this article, adopt a complete streets policy for State highways.

SUBTITLE 4. HIGHWAY USER REVENUES

§ 8-409. Establishment and maintenance of footpaths, bridle paths or horse trails, and bicycle trails

(a) Legislative policy. -- It is the policy of this State that bicycle trails are important and their construction is encouraged wherever feasible.

(d) Administration to provide technical assistance. --

(1) If requested by a local government, the Administration shall provide technical assistance and advice on carrying out the purposes of this section.

(2) The Administration shall recommend construction standards for footpaths, bridle paths or horse trails, and bicycle trails and shall establish a uniform system of signs for all the footpaths, bridle paths or horse trails, and bicycle trails constructed under this section, whether construction is undertaken by the Administration or by the local government.

SUBTITLE 6. CONSTRUCTION AND MAINTENANCE

§ 8-601. Project resulting in severance or destruction of bicycle route

(a) Prohibition. -- The Administration may not construct any project that will result in the severance or destruction of an existing major route for bicycle transportation traffic, unless the project provides for construction of a reasonable alternative route or such a route already exists.

(b) Guidelines. -- The Administration shall develop guidelines jointly with local governments to carry out the provisions of this section.

§ 8-629. Sidewalk construction by developers of industrial, commercial, or apartment areas along highways

(a) Administration may require construction of sidewalks. --

(1) With the concurrence of the local government, the Administration may require any developer of an industrial, commercial, or apartment area along a highway maintained by the Administration to construct sidewalks parallel to the highway.

(2) The construction of these sidewalks shall meet the conditions specified in entrance permits and the standards adopted by the Administration or the local government.

(b) When sidewalks not required. -- Sidewalks may not be required under this section if the Administration determines that:

(1) The establishment of sidewalks would be contrary to public safety;

(2) The cost of establishing the sidewalks would be too great considering the need for them or their probable use; or

(3) The sparsity of population, the existence of other available ways, or any other factor indicates that there is no need for the sidewalks.

(c) Maintenance of sidewalks. -- After sidewalks are constructed under this section, they shall be maintained and repaired by the political subdivision in which they are located.

§ 8-630. Sidewalks or bicycle pathways along urban highways; nighttime illumination

(a) Definitions. --

(1) In this section the following words have the meanings indicated.

(2) "Municipal corporation" means a municipality as defined in § 1-101 of the Local Government Article.

(3) "Urban highway" means a highway, other than an expressway, that is:

(i) 1. Constructed with a curb and gutter and an enclosed type storm drainage system;

2. Located in an urban area and on which is located a public facility that creates appreciable pedestrian traffic along the highway from adjacent areas;

3. Located within urban boundaries as defined by the U.S. Census Bureau; or

4. Located within the boundaries of a municipal corporation; and

(ii) Part of the State highway system.

(b) Sidewalks -- Construction generally. --

(1) Sidewalks shall be constructed at the time of construction or reconstruction of an urban highway, or in response to the request of a local government unless:

(i) The Administration determines that the cost or impacts of constructing the sidewalks would be too great in relation to the need for them or their probable use; or

(ii) The local government indicates that there is no need for sidewalks.

(2) Sidewalks constructed under this section shall be consistent with area master plans and transportation plans adopted by the local planning commission.

(c) Sidewalks and bicycle pathways -- Financing; maintenance; construction when no adjacent roadway construction. --

(1) If sidewalks or bicycle pathways are constructed or reconstructed as part of a roadway construction or reconstruction project, the Administration shall fund the sidewalk or bicycle pathway construction or reconstruction as a part of the cost of the roadway project.

(2) Except as provided in paragraphs (3) and (4) of this subsection, if sidewalks or bicycle pathways are constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway shall be shared equally between the State and local governments.

(3) If sidewalks or bicycle pathways within a sustainable community as defined in § 6-301 of the Housing and Community Development Article are constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway may be funded entirely by the State.

(4) (i) This paragraph does not apply to a priority funding area that is a sustainable community as defined in § 6-301 of the Housing and Community Development Article.

(ii) If sidewalks or bicycle pathways within an area designated as a priority funding area under § 5-7B-02 of the State Finance and Procurement Article are constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, and if the Administration determines that construction would not occur under this section due to insufficient contribution of funds by the local government, the cost to construct or reconstruct the sidewalk or bicycle pathway shall be shared between the State and local government as follows:

1. 75 percent of the cost shall be funded by the State; and

2. 25 percent of the cost shall be funded by the local government.

(iii) If sidewalks or bicycle pathways within an area designated as a priority funding area under § 5-7B-02 of the State Finance and Procurement Article are constructed or reconstructed based on a determination by the Administration that a substantial public safety risk or significant impediment to pedestrian access exists and the adjacent roadway is not being concurrently constructed or reconstructed, then:

1. The Administration shall categorize the sidewalk or bicycle pathway construction project as "system preservation" and give corresponding funding priority to the project; and

2. The cost to construct or reconstruct the sidewalk or bicycle pathway may be funded entirely by the State.

(5) If sidewalks or bicycle pathways are being constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the local government shall:

(i) Provide public notice and opportunities for community involvement prior to the construction of a sidewalk or bicycle pathway project; and

(ii) Secure any necessary right-of-way that may be needed beyond the right-of-way already owned by the State.

(6) (i) Except as provided in subparagraph (ii) of this paragraph, after sidewalks and bicycle pathways are constructed under this section, they shall be maintained and repaired by the political subdivision in which they are located.

(ii) Subject to approval and the availability of funds, the Administration promptly shall reimburse a political subdivision for the preapproved and documented costs incurred in reconstructing a segment of a sidewalk or bicycle pathway that has deteriorated to the extent that repair is not practical or desirable for public safety.

(d) Existing pedestrian routes. -- The Administration may not construct any project that will result in the severance or destruction of an existing major route for pedestrian transportation traffic, unless the project provides for construction of a reasonable alternative route or such a route already exists.

(e) Guidelines. -- The Administration shall develop guidelines jointly with local governments to carry out the provisions of this section.

(f) Nighttime illumination. -- The Administration shall maintain and repair all facilities for nighttime illumination that:

(1) Are constructed by the Administration for the safe conduct of vehicular traffic; and

(2) Exist adjacent to urban highways.

§ 8-648. Storm drain covers in highways

Any new or replacement storm drain cover, installed on a street or highway in the State, after January 1, 1980, shall consist of:

(1) Bars running perpendicular to the flow of traffic on the highway;

(2) A grating composed of intersecting bars; or

(3) Other designs approved by the Department of Transportation which meet safety design criteria as well as engineering and structural design demands.

SUBTITLE 9. COMPLETE STREETS PROGRAM

§ 8–901.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Certified jurisdiction” means a local government that has been certified by the Department in accordance with § 8–905 of this subtitle.
- (c) “Complete streets” means streets that provide accommodations for users of multiple modes of transportation.
- (d) “Complete streets policy” means a law, a bylaw, an ordinance, or an administrative policy adopted by a local government in accordance with § 8–905 of this subtitle.
- (e) “Eligible project” means a local government or State highway, street, or road retrofit project that includes the addition of or significant repair to facilities that provide access for users of multiple modes of transportation.
- (f) “Green stormwater infrastructure” means infrastructure implemented using best management practices that reduce the volume of stormwater runoff through infiltration, evapotranspiration, the beneficial reuse of water, or any other effective method.
- (g) “Local government” means a county or municipality in the State.
- (h) “Program” means the Complete Streets Program established under this subtitle.

§ 8–902. *There is a competitive matching grant program within the Department known as the “Complete Streets Program”.*

§ 8–903.

- (a) The purpose of the Program is to provide matching grants to certified jurisdictions to encourage:
 - (1) The regular and routine inclusion of complete streets design elements and infrastructure during the planning, design, construction, and reconstruction of new or existing locally funded roads;
 - (2) The adoption of urban retrofit street ordinances designed to provide safe access to users of multiple modes of transportation; and
 - (3) The development of ranking systems for complete streets projects that consider the needs of underinvested and underserved communities in specific geographic regions of the State.
- (b) The goals of the Program are to:
 - (1) Promote healthy communities by encouraging the use of multiple modes of transportation other than single-occupancy motor vehicles;
 - (2) Improve safety by designing streets to include features such as:
 - (i) Wider sidewalks;
 - (ii) Dedicated bike facilities;
 - (iii) Medians;
 - (iv) Pedestrian streetscape features; and
 - (v) Green stormwater infrastructure;
 - (3) Protect the environment and improve water quality by using green stormwater infrastructure to reduce stormwater runoff from rights-of-way;
 - (4) Reduce congestion by providing safe alternatives to single-occupancy motor vehicle driving;
 - (5) Preserve community character by involving local and diverse communities and stakeholders in planning, prioritization, and design decisions; and

(6) Provide for the equitable distribution of complete streets funds that takes into consideration the needs of underinvested and underserved communities in specific geographic regions of the State.

§ 8–904. Funds for the Program shall be as provided by the Governor in the State budget.

§ 8–905.

(a) A local government that has adopted a complete streets policy in accordance with subsection (b) of this section may apply to the Department for designation as a certified jurisdiction.

(b) (1) A complete streets policy adopted by a local government shall:

(i) Identify the body, entity, or individual responsible for implementing the Program;

(ii) Require the development of procedures to follow when conducting local road repairs, upgrades, or expansion projects to incorporate complete streets elements;

(iii) Facilitate projects to achieve the goals established under § 8–903(b) of this subtitle;

(iv) Require the establishment of a review process for private development proposals to ensure complete streets components are incorporated into new construction according to terms specified by the local government;

(v) Set a 5–year goal for an increased mode share of specified modes of transportation other than single–occupancy motor vehicles;

(vi) Require the development of a program to meet the goal established under item (v) of this paragraph;

(vii) Comply with any other requirements that the Department considers necessary; and

(viii) Be approved by the Department.

(2) A local government shall hold at least one public hearing prior to the adoption of a complete streets policy.

§ 8–906.

(a) A certified jurisdiction may:

(1) Apply for matching grants from the Program; and

(2) Use matching grant funds only for costs associated with:

(i) The implementation of the complete streets policy, including the development and updates of policies, ordinances, procedures, and design manuals; and

(ii) The design and planning of eligible projects.

(b) A certified jurisdiction that receives a matching grant shall:

(1) Maintain and update its complete streets policy;

(2) Coordinate with the Department to confirm the accuracy of the baseline inventory of pedestrian and bicycle accommodations to identify priority projects;

(3) Submit an annual progress report to the Department, in a form and manner prescribed by the Department; and

(4) Comply with any other requirements that the Department considers necessary.

§ 8–907.

(a) On or before December 31 each year, the Department shall submit a report to the Senate Finance Committee, Senate Budget and Taxation Committee, House Appropriations Committee, and House Environment and Transportation Committee, in accordance with § 2–1246 of the State Government Article, on the status of the Program.

(b) The report required under subsection (a) of this section shall include:

- (1) The status of any grant projects funded by the Program; and
- (2) A discussion of whether there is a need to reevaluate the Program to ensure that it is meeting the goals stated in § 8–903(b) of this subtitle.
- (c) The report required under subsection (a) of this section shall be made available on the Department’s website.

TITLE 11. VEHICLE LAWS -- DEFINITIONS; GENERAL PROVISIONS

SUBTITLE 1. DEFINITIONS

§ 11-104. Bicycle

“Bicycle” means:

- (1) A vehicle that:
 - (i) Is designed to be operated by human power;
 - (ii) Has two or three wheels, of which one is more than 14 inches in diameter; and
 - (iii) Has a drive mechanism other than by pedals directly attached to a drive wheel;
- (2) An electric bicycle; or
- (3) A moped.

§ 11-127. Highway

- (1) The entire width between the boundary lines of any way or thoroughfare of which any part is used by the public for vehicular travel, whether or not the way or thoroughfare has been dedicated to the public and accepted by any proper authority; and
- (2) For purposes of the application of State laws, the entire width between the boundary lines of any way or thoroughfare used for purposes of vehicular travel on any property owned, leased, or controlled by the United States government and located in the State.11.145

§ 11-134.1. Moped

- (a) “Moped” means a bicycle that:
 - (1) Is designed to be operated by human power with the assistance of a motor;
 - (2) Is equipped with pedals that mechanically drive the rear wheel or wheels;
 - (3) Has two or three wheels, of which one is more than 14 inches in diameter; and
 - (4) Has a motor with a rating of 1.5 brake horsepower or less and, if the motor is an internal combustion engine, a capacity of 50 cubic centimeters piston displacement or less.
- (b) “Moped” does not include an electric bicycle.

§ 11-134.5. Motor scooter

- (a) In general. -- “Motor scooter” means a nonpedal vehicle that:
 - (1) Has a seat for the operator;
 - (2) Has two wheels, of which one is 10 inches or more in diameter;
 - (3) Has a step-through chassis;
 - (4) Has a motor:
 - (i) With a rating of 2.7 brake horsepower or less; or
 - (ii) If the motor is an internal combustion engine, with a capacity of 50 cubic centimeters piston displacement or less; and

(5) Is equipped with an automatic transmission.

(b) Off-road vehicles. -- "Motor scooter" does not include a vehicle that has been manufactured for off-road use, including a motorcycle and an all-terrain vehicle.

§ 11-145. Pedestrian

"Pedestrian" means an individual afoot.

§ 11-151. Roadway

(a) In general. -- "Roadway" means that part of a highway that is improved, designed, or ordinarily used for vehicular travel, other than the shoulder.

§ 11-154.1. Scooter

"Scooter" means a two-wheeled vehicle that:

- (1) Has handlebars; and
- (2) Is designed to be stood on by the operator.

TITLE 21. VEHICLE LAWS -- RULES OF THE ROAD

SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS

§ 21-101. Definitions

(c) Bicycle path. -- "Bicycle path" means any travelway designed and designated by signing or signing and marking for bicycle use, located within its own right-of-way or in a shared right-of-way, and physically separated from motor vehicle traffic by berm, shoulder, curb, or other similar device.

(d) Bicycle way. --

(1) "Bicycle way" means:

- (i) Any trail, path, part of a highway, surfaced or smooth shoulder, or sidewalk; or
- (ii) Any other travelway specifically signed, marked, or otherwise designated for bicycle travel.

(2) "Bicycle way" includes:

- (i) Bicycle path; and
- (ii) Bike lane.

(e) Bike lane. -- "Bike lane" means any portion of a roadway or shoulder designated for single directional bicycle flow.

(i) "Crosswalk" means that part of a roadway that is:

- (1) Within the prolongation or connection of the lateral lines of sidewalks at any place where 2 or more roadways of any type meet or join, measured from the curbs or, in the absence of curbs, from the edges of the roadway;
- (2) Within the prolongation or connection of the lateral lines of a bicycle way where a bicycle way and a roadway of any type meet or join, measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
- (3) Distinctly indicated for pedestrian crossing by lines or other markings.

(j) Electric personal assistive mobility device. -- "Electric personal assistive mobility device" or "EPAMD" means a pedestrian device that:

- (1) Has two nontandem wheels;
- (2) Is self-balancing;
- (3) Is powered by an electric propulsion system;

(4) Has a maximum speed capability of 15 miles per hour; and

(5) Is designed to transport one person.

(m) "Play vehicle" means a vehicle that:

(1) Has two or more wheels;

(2) Is propelled only by human power; and

(3) Is not a bicycle, as defined in Title 11 of this article; AND

(4) Is not a wheelchair.

(o) "Public bicycle area" means any highway, bicycle path, or other facility or area maintained by this State, a political subdivision of this State, or any of their agencies for the use of bicycles.

(w) "Sidewalk" means that part of a highway:

(1) That is intended for use by pedestrians; and

(2) That is between:

(i) The lateral curb lines or, in the absence of curbs, the lateral boundary lines of a roadway; and

(ii) The adjacent property lines.

SUBTITLE 2. TRAFFIC SIGNS, SIGNALS AND MARKINGS

§ 21-203. Pedestrian control signals

(a) In general. -- Where special pedestrian control signals showing the words "walk", "don't walk", or "wait" or the symbols of "walking person" or "upraised hand" are in place, the signals have the indications provided in this section.

(b) Walk. -- A pedestrian facing a "walk" or "walking person" signal may cross the roadway in the direction of the signal and shall be given the right-of-way by the driver of any vehicle. At an intersection where an exclusive all-pedestrian interval is provided, a pedestrian may cross the roadway in any direction within the intersection.

(c) Don't walk. -- A pedestrian may not start to cross the roadway in the direction of a "don't walk" or "upraised hand" signal.

(d) Wait signal -- Beginning crossing prohibited. -- A pedestrian may not start to cross the roadway in the direction of a "wait signal".

(e) Wait signal -- Partially completed crossing. -- If a pedestrian has partly completed crossing on a "walk" or "walking person" signal, the pedestrian shall proceed without delay to a sidewalk or safety island while the "don't walk", "wait", or "upraised hand" signal is showing.

SUBTITLE 5. PEDESTRIAN RIGHTS AND RULES

§ 21-501. Pedestrians subject to traffic regulations

At an intersection, a pedestrian is subject to all traffic control signals, as provided in §§ 21-202 and 21-203 of this title. However, at any other place, a pedestrian has the rights and is subject to the restrictions stated in this title.

§ 21-501.1. Person using EPAMD or wheelchair subject to traffic regulations

(a) EPAMD. -- At an intersection, a person using an EPAMD is subject to all traffic control signals, as provided in §§ 21-202 and 21-203 of this title. However, at any other place, a person using an EPAMD has the rights and is subject to the restrictions applicable to pedestrians under this title.

(b) Wheelchair. -- At an intersection, a person using a wheelchair is subject to all traffic control signals, as provided in §§ 21-202 and 21-203 of this title. However, at any other place, a person using a wheelchair has the rights and is subject to the restrictions applicable to pedestrians under this title.

§ 21-502. Pedestrians' right-of-way in crosswalks

(a) In general. --

(1) This subsection does not apply where:

(i) A pedestrian tunnel or overhead pedestrian crossing is provided, as described in § 21-503 (b) of this subtitle; or

(ii) A traffic control signal is in operation.

(2) The driver of a vehicle shall come to a stop when a pedestrian crossing the roadway in a crosswalk is:

(i) On the half of the roadway on which the vehicle is traveling; or

(ii) Approaching from an adjacent lane on the other half of the roadway.

(b) Duty of pedestrian. -- A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(c) Passing of vehicle stopped for pedestrian prohibited. -- If, at a marked crosswalk or at an unmarked crosswalk at an intersection, a vehicle is stopped to let a pedestrian cross the roadway, the driver of any other vehicle approaching from the rear may not overtake and pass the stopped vehicle.

§ 21-503. Crossing at other than crosswalks

- (a) In general. -- If a pedestrian crosses a roadway at any point other than in a marked crosswalk or in an unmarked crosswalk at an intersection, the pedestrian shall yield the right-of-way to any vehicle approaching on the roadway.
- (b) Where special pedestrian crossing provided. -- If a pedestrian crosses a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing is provided, the pedestrian shall yield the right-of-way to any vehicle approaching on the roadway.
- (c) Between adjacent intersections. -- Between adjacent intersections at which a traffic control signal is in operation, a pedestrian may cross a roadway only in a marked crosswalk.
- (d) Crossing intersection diagonally. -- A pedestrian may not cross a roadway intersection diagonally unless authorized by a traffic control device for crossing movements. If authorized to cross diagonally, a pedestrian may cross only in accordance with the traffic control device.

§ 21-504. Drivers to exercise due care

- (a) In general. -- Notwithstanding any other provision of this title, the driver of a vehicle shall exercise due care to avoid colliding with any pedestrian.
- (b) Duty to warn pedestrians. -- Notwithstanding any other provision of this title, the driver of a vehicle shall, if necessary, warn any pedestrian by sounding the horn of the vehicle.
- (c) Duty to exercise precaution on observing child or certain other individuals. -- Notwithstanding any other provision of this title, the driver of a vehicle shall exercise proper precaution on observing any child or any obviously confused or incapacitated individual.

§ 21-506. Pedestrians on roadways

- (a) Where sidewalks provided. -- Where a sidewalk is provided, a pedestrian may not walk along and on an adjacent roadway.
- (b) Where sidewalks not provided. -- Where a sidewalk is not provided, a pedestrian who walks along and on a highway may walk only on the left shoulder, if practicable, or on the left side of the roadway, as near as practicable to the edge of the roadway, facing any traffic that might approach from the opposite direction.

§ 21-511. Right-of-way of blind or deaf pedestrians

- (a) In general. -- The driver of a vehicle shall yield the right-of-way to:
 - (1) A blind or partially blind pedestrian using a guide dog or carrying a cane predominantly white or metallic in color (with or without a red tip);
 - (2) A deaf or hearing impaired pedestrian accompanied by a guide dog; or
 - (3) A mobility impaired individual crossing a roadway while using any of the following mobility-assisted devices:
 - (i) A manual or motorized wheelchair;
 - (ii) A motorized scooter;
 - (iii) Crutches; or
 - (iv) A cane.
- (b) Use of white or metal cane by others prohibited. -- A person who is not blind or partially blind may not use or carry a white cane, a cane that is white tipped with red, or a chrome, nickel, aluminum, or other reflecting or shining metal cane, in the manner described in subsection (a) (1) of this section.

SUBTITLE 6. TURNING AND STARTING; SIGNALS ON STOPPING, TURNING AND STARTING

§ 21-606. Method of giving hand and arm signals

- (a) In general. -- Except as otherwise provided, each required signal given by hand and arm shall be given from the left side of the vehicle in the manner specified in this section.
- (b) Left turn. -- A left turn signal is given by the hand and arm extended horizontally.
- (c) Right turn. -- A right turn signal is given by the hand and arm extended upward; except that a bicyclist may extend the right hand and arm horizontally to the right.
- (d) Stop or decrease speed. -- A stop or decrease in speed signal is given by the hand and arm extended downward.

SUBTITLE 10. STOPPING, STANDING, AND PARKING

§ 21-1008. Bicycle and pedestrian accommodations

- (a) In general. -- By fiscal year 2000, each public institution of higher education and State employment facility shall provide reasonable accommodations necessary for bicycle access, including parking for bicycles.
- (b) Plans in public institution of higher education. -- When a public institution of higher education revises its facility master plan, the public institution of higher education shall address bicycle and pedestrian transportation circulation:
 - (1) Between the institution and the communities adjacent to the institution; and
 - (2) Within the campus of the institution.
- (c) Plans in public institution of higher education -- Incorporation and promotion of bikeways and pedestrian facilities. -- The facility master plan shall include measures that the institution proposes to:
 - (1) Incorporate bikeways and pedestrian facilities on the campus; and
 - (2) Promote biking and walking on the campus.

SUBTITLE 11. MISCELLANEOUS RULES

§ 21-1103. Driving on sidewalk

- (a) Driving prohibited. -- Except as provided in subsection (b), (c), or (d) of this section, a person may not drive any vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary driveway.
- (b) Exceptions -- Bicycles, play vehicles, etc. --
 - (1) For the purposes of this subsection, "bicycle" does not include "moped", as defined in § 11-134.1 of this article.
 - (2) Where allowed by local ordinance, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area.
 - (3) In a place where a person may ride a bicycle on a sidewalk or sidewalk area, a person may also ride a bicycle from the curb or edge of the roadway in or through a crosswalk to the opposite curb or edge of the roadway.
- (c) Exceptions -- Special vehicles of individuals with disabilities persons. -- Unless prohibited by local ordinance, an individual with a disability may use a special vehicle other than a wheelchair on sidewalks or sidewalk areas.
- (d) Use of wheelchair on sidewalks. -- An individual may use a wheelchair on sidewalks or sidewalk areas in accordance with § 21-501.1 of this title.

SUBTITLE 12. OPERATION OF BICYCLES AND PLAY VEHICLES

§ 21-1201. Scope of subtitle

- (a) Authorizing minor or ward to violate provisions. -- The parent of any minor or the guardian of any ward may not authorize the minor or ward to violate any provision of this subtitle.

(b) Knowingly permitting minor or ward to violate provisions. -- The parent of any minor or the guardian of any ward may not knowingly permit the minor or ward to violate any provision of this subtitle.

(c) Applicability of subtitle. -- With the exceptions stated in this subtitle, the provisions of this subtitle that are applicable to bicycles apply whenever a bicycle, an EPAMD, or a motor scooter is operated on any highway or whenever a bicycle or an EPAMD is operated on any path set aside for the exclusive use of bicycles.

§ 21-1202. Traffic laws apply to bicycles and motor scooters

Every person operating a bicycle or a motor scooter 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 by this title, including the duties set forth in § 21-504 of this title, except:

(1) As otherwise provided in this subtitle; and

(2) For those provisions of this title that by their very nature cannot apply.

(b) (1) Subject to paragraphs (2) and (3) of this subsection, a person has the rights and is subject to the restrictions applicable to pedestrians under this title while the person is lawfully operating a bicycle, play vehicle, or unicycle:

(i) On a sidewalk or sidewalk area; or

(ii) In or through a crosswalk.

(2) At an intersection, a person operating a bicycle, play vehicle, or unicycle is subject to all traffic control signals, as provided in §§ 21-202 and 21-203 of this title.

(3) Section 21-506 of this title does not apply to a person operating a bicycle, play vehicle, or unicycle.

§ 21-1203. Riding on bicycles or motor scooters

(a) Operator to be seated. -- The operator of a bicycle or a motor scooter may ride the bicycle or motor scooter only on or astride a permanent and regular seat securely attached to it.

(b) Seat required for passenger -- Bicycle. -- A bicycle may not carry any passenger unless it is designed for and equipped with a seat securely attached to it for each passenger.

(c) Seat required for passenger -- Motor scooter. -- A motor scooter may not carry any passenger unless it is designed for and equipped with a seat securely attached to it and footrests for each passenger.

§ 21-1204. Clinging to vehicles

(b) Bicycles or motor scooters. -- A person riding on any bicycle or motor scooter may not attach it or himself to any vehicle on a roadway.

§ 21-1205. Riding on roadways or on highway

(a) Riding to right side of roadway. -- Each person operating a bicycle or a motor scooter at a speed less than the speed of traffic at the time and place and under the conditions then existing on a roadway shall ride as near to the right side of the roadway as practicable and safe, except when:

(1) Making or attempting to make a left turn;

(2) Operating on a one-way street;

(3) Passing a stopped or slower moving vehicle;

(4) Avoiding pedestrians or road hazards;

(5) The right lane is a right turn only lane; or

(6) Operating in a lane that is too narrow for a bicycle or motor scooter and another vehicle to travel safely side by side within the lane.

(b) Riding two abreast. -- Each person operating a bicycle or a motor scooter on a roadway may ride two abreast only if the flow of traffic is unimpeded.

(c) Passing. -- Each person operating a bicycle or a motor scooter on a roadway shall exercise due care when passing a vehicle.

(d) Walking bicycles on right side of highway. -- Each person operating a bicycle or a motor scooter on a roadway may walk the bicycle or motor scooter on the right side of a highway if there is no sidewalk.

§ 21–1205.1. Bicycles, motor scooters, and EPAMDs prohibited on certain roadways and highways; speed limit.

(a) (1) Notwithstanding any other provision of this title, a person may not ride a bicycle or a motor scooter:

(i) Except as provided in paragraph (2) of this subsection, on any roadway where the posted maximum speed limit is more than 50 miles an hour; or

(ii) On any expressway, except on an adjacent bicycle path or way approved by the State Highway Administration, or on any other controlled access highway signed in accordance with § 21–313 of this title.

(2) If a person is lawfully operating a bicycle or a motor scooter on a shoulder adjacent to a roadway for which the posted maximum speed limit is more than 50 miles an hour, the person may enter the roadway only if:

(i) Making or attempting to make a left turn;

(ii) Crossing through an intersection; or

(iii) The shoulder is overlaid with a right turn lane, a merge lane, a bypass lane, or any other marking that breaks the continuity of the shoulder.

(b) (1) Where there is not a bike lane paved to a smooth surface, a person operating a bicycle or a motor scooter may use the roadway or the shoulder.

(2) Where there is a bike lane paved to a smooth surface, a person operating a bicycle or a motor scooter shall use the bike lane and may not ride on the roadway, except in the following situations:

(i) When overtaking and passing another bicycle, motor scooter, pedestrian, or other vehicle within the bike lane if the overtaking and passing cannot be done safely within the bike lane;

(ii) When preparing for a left turn at an intersection or into an alley, private road, or driveway;

(iii) When reasonably necessary to leave the bike lane to avoid debris or other hazardous condition; or

(iv) When reasonably necessary to leave the bike lane because the bike lane is overlaid with a right turn lane, merge lane, or other marking that breaks the continuity of the bike lane.

(3) A person operating a bicycle or a motor scooter may not leave a bike lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.

(4) The Department shall adopt regulations pertaining to this subsection, including a definition of “smooth surface”.

(c) A motor scooter may not be operated at a speed in excess of 30 miles per hour.

(d) Notwithstanding any other provision of this title, a person may not operate an EPAMD on any roadway where there are sidewalks adjacent to the roadway or the posted maximum speed limit is more than 30 miles an hour.

(e) An EPAMD may not be operated at a speed in excess of 15 miles per hour.

§ 21–1206. Carrying articles; removal, riding on, or tampering with bicycle, EPAMD, or motor scooter.

(a) A person may not operate a bicycle, an EPAMD, or a motor scooter while carrying any package, bundle, or other article that prevents the person from keeping both hands on the handlebars.

(b) A person may not carry on a bicycle, an EPAMD, or a motor scooter any package, bundle, or other article that interferes with the view or balance of the operator.

(c) A person may not remove, ride on, or tamper with any part of a bicycle, an EPAMD, or a motor scooter without the permission of its owner.

§ 21-1207. Lamps and other equipment on bicycles and motor scooters

(a) Lamp and reflector. --

(1) If a bicycle or a motor scooter is used on a highway at any time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet, the bicycle or motor scooter shall be equipped:

(i) On the front, with a lamp that emits a white light visible from a distance of at least 500 feet to the front; and

(ii) On the rear, with a red reflector of a type approved by the Administration and visible from all distances from 600 feet to 100 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle.

(2) A bicycle or bicyclist may be equipped with a functioning lamp that acts as a reflector and emits a red light or a flashing amber light visible from a distance of 500 feet to the rear instead of or in addition to the red reflector required by paragraph (1) of this subsection.

(b) Bell. -- Subject to subsection (c) of this section, a person may operate a bicycle or a motor scooter that is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet.

(c) Sirens or whistles. -- A bicycle or motor scooter may not be equipped with nor may any person use on a bicycle any siren or whistle.

(d) Brake. -- Every bicycle and motor scooter shall be equipped with a braking system capable of stopping from a speed of 10 miles per hour within 15 feet on dry, level, clean pavement.

§ 21-1207.1. Helmets required

(a) In general. --

(1) The provisions of this section apply:

(i) At all times while a bicycle is being operated on any highway, bicycle way, or other property open to the public or used by the public for pedestrian or vehicular traffic; and

(ii) To a person under the age of 16 who is riding on a bicycle, including a person under the age of 16 who is a passenger on a bicycle:

1. In a restraining seat attached to the bicycle; or

2. In a trailer being towed by the bicycle.

(2) The provisions of this section do not apply to passengers in commercial bicycle rickshaws.

(b) Inapplicable on Ocean City boardwalk. -- This section does not apply in the town of Ocean City, Maryland, on the boardwalk between the Ocean City inlet and 27th Street, during the hours in which bicycles are permitted by local ordinance to be operated on the boardwalk.

(c) Helmets. -- A person to whom this section applies may not operate or ride as a passenger on a bicycle unless the person is wearing a helmet that meets or exceeds the standards of the American National Standards Institute, the Snell Memorial Foundation, or the American Society for Testing and Materials for protective headgear for use in bicycling.

(d) Enforcement. -- This section shall be enforced by the issuance of a warning that informs the offender of the requirements of this section and provides educational materials about bicycle helmet use.

§21-1207.2. Protective helmets

(a) An individual under the age of 16 years may not ride on a scooter or on in-line skates on any highway, bicycle way, sidewalk, or other property open to the public or used by the public for pedestrian or vehicular traffic, unless the individual is wearing a helmet that meets or exceeds the standards of the American National Standards Institute, the Snell Memorial Foundation, or the American Society for Testing and Materials for protective headgear for use in bicycling or in-line skating.

(b) This section shall be enforced by the issuance of a warning that informs the offender of the requirements of this section and provides educational materials about helmet use.

§ 21-1208. Securing bicycle, EPAMD, or motor scooter to certain objects.

(a) A person may not secure a bicycle, an EPAMD, or a motor scooter to a fire hydrant, police or fire call box, or traffic control device.

(b) A person may not secure a bicycle, an EPAMD, or a motor scooter to a pole, meter, or device located within a bus or taxi-loading zone.

(c) A person may not secure a bicycle, an EPAMD, or a motor scooter to a pole, meter, or device located within 25 feet of any intersection.

(d) A person may not secure a bicycle, an EPAMD, or a motor scooter to a pole, meter, or device on which notice has been posted by the appropriate authorities forbidding the securing of bicycles.

(e) A person may not secure a bicycle, an EPAMD, or a motor scooter to any place where the securing of a bicycle or a motor scooter would obstruct or impede vehicular traffic or pedestrian movement.

(f) A bicycle, an EPAMD, or a motor scooter may be secured to a parking meter, without payment of the usual fees, if it is entirely removed from the bed of the street normally used for vehicular parking

§ 21-1209. Throwing object at bicycle, EPAMD, or motor scooter.

(a) Drivers to exercise due care. -- Notwithstanding any other provision of this title, the driver of a vehicle shall:

(1) Exercise due care to avoid colliding with any bicycle, EPAMD, or motor scooter being ridden by a person; and

(2) When overtaking a bicycle, an EPAMD, or a motor scooter, pass safely at a distance of not less than 3 feet, unless, at the time:

(i) The bicycle, EPAMD, or motor scooter rider fails to operate the vehicle in conformance with § 21-1205(a) of this subtitle ("Riding to right side of roadway") or § 21-1205.1(b) of this subtitle ("Roadway with bike lane or shoulder paved to smooth surface");

(ii) A passing clearance of less than 3 feet is caused solely by the bicycle, EPAMD, or motor scooter rider failing to maintain a steady course; or

(iii) The highway on which the vehicle is being driven is not wide enough to lawfully pass the bicycle, EPAMD, or motor scooter at a distance of at least 3 feet.

(b) Throwing objects. -- A person may not throw any object at or in the direction of any person riding a bicycle, an EPAMD, or a motor scooter.

(c) Opening doors with intent to strike, injure, etc. -- A person may not open the door of any motor vehicle with intent to strike, injure, or interfere with any person riding a bicycle, an EPAMD, or a motor scooter.

(d) Yielding right-of-way. -- Unless otherwise specified in this title, the driver of a vehicle shall yield the right-of-way to a person who is lawfully riding a bicycle, an EPAMD, or a motor scooter in a designated bike lane or shoulder if the driver of the vehicle is about to enter or cross the designated bike lane or shoulder.

§ 21-1210. Wearing earplugs, headsets, etc., prohibited

(a) Wearing headset coverings. -- A person may not operate a bicycle, an EPAMD, or a motor scooter on any highway, or on any roadway, while the person is wearing any headset covering both ears.

(b) Earplugs. -- A person may not operate a bicycle, an EPAMD, or a motor scooter on any highway, or on any roadway, while the person is wearing any earplugs in both ears.

(c) Exceptions. -- The provisions of this section do not apply to:

(1) Any person wearing personal hearing protectors in the form of custom earplugs or molds that are designed to attenuate injurious noise levels, if the custom plugs or molds are designed in such a manner as to not inhibit the wearer's ability to hear a siren or horn from an emergency vehicle or a horn from another vehicle;

(2) Any person wearing a prosthetic device used to aid the hard of hearing; or

(3) Any person operating a bicycle on a public bicycle pathway expressly authorized for the use of persons operating bicycles.

SUBTITLE 14. OPERATION OF VEHICLES ON CERTAIN TOLL FACILITIES

§ 21-1401. Definitions

(c) Authority highway. -- "Authority highway" means:

(1) Each highway, tunnel, and bridge within the jurisdiction of the Maryland Transportation Authority; and

(2) Each approach to these highways, tunnels, and bridges.

§ 21-1405. Pedestrians and bicycles prohibited

(a) Pedestrians. -- Unless authorized by the Chairman of the Maryland Transportation Authority, pedestrians may not use any Authority highway.

(b) Bicycles. -- Unless authorized by the Chairman of the Maryland Transportation Authority, bicycles may not use any Authority highway.

TITLE 25. VEHICLE LAWS -- PENALTIES; DISPOSITION OF FINES AND FORFEITURES

SUBTITLE 1. POWERS OF STATE AND LOCAL AUTHORITIES

§ 25-107. Authority to require pedestrian obedience to traffic control signals

As to any highway under its jurisdiction, a local authority may:

(1) Require pedestrians to obey strictly any traffic control signal; and

(2) Prohibit pedestrians from crossing, except in a crosswalk:

(i) Any roadway in a business district; or

(ii) Any designated highway.

STATE FINANCE AND PROCUREMENT

TITLE 5. STATE PLANNING

SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS

§ 5-101. Definitions

- (a) In general. -- In this title the following words have the meanings indicated.
- (b) Department. -- "Department" means the Department of Planning.
- (c) Secretary. -- "Secretary" means the Secretary of Planning.

SUBTITLE 4. GOVERNMENTAL COORDINATION, COOPERATION, and ASSISTANCE IN PLANNING

§ 5-402. Department to cooperate with and assist other units

(g) Use of inactive or abandoned railroad corridors. -- The Department shall plan for the efficient use of inactive railroad corridors by:

- (1) examining all opportunities, both present and future, for acquisition or use of inactive railroad corridors;
- (2) coordinating and working with the Departments of Natural Resources, Transportation, Commerce, and the State Railroad Administration and other agencies to determine the suitability and feasibility of acquiring or using inactive railroad corridors for recreational trails, public utilities, or future transportation purposes; and
- (3) taking part in United States Interstate Commerce Commission proceedings regarding the abandonment or the discontinuance of use of railroad corridors on behalf of the State.

(h) Transportation plans of Department of Transportation and planned land uses. -- The Department shall:

- (1) review transportation plans and programs prepared by the Department of Transportation and regional planning agencies and make recommendations regarding the relationship between transportation and planned land use; and
 - (2) evaluate proposed transportation improvements and policies to assure consistency between transportation investments and the State Economic Growth, Resource Protection, and Planning Policy.
- (i) Transportation plans affecting local government. -- The Department may provide advice to local governments regarding the impact on growth and development of:
- (1) transportation components of local plans;
 - (2) aspects of local land use regulation affecting transportation; and
 - (3) local transportation improvements.

NATURAL RESOURCES

TITLE 5. FORESTS AND PARKS

SUBTITLE 1. IN GENERAL

§ 5-101. Definitions

- (a) In general. -- In this title the following words have the meanings indicated.
- (b) County. -- "County" includes Baltimore City unless otherwise indicated.
- (c) Department. -- "Department" means Department of Natural Resources.

SUBTITLE 10. PUBLIC PARK LAND AND RECREATIONAL AREAS

§ 5-1010. Abandoned railroad corridor property as trails

- (a) Legislative findings. -- The General Assembly finds that:

- (1) In order to provide the public with access to the use, enjoyment, and appreciation of the outdoor areas of Maryland, it is declared to be the public policy of this State to provide the means and procedures for establishing and expanding a network of recreational and scenic trails;
- (2) Abandoned railroad corridor property is a unique source of land corridors that are, in many cases, suitable for recreational trails;
- (3) Railroad corridor property is being abandoned at a high rate and is often sold in segments, thereby fragmenting the original corridors and leaving unconnected segments which may be suitable for acquisition for recreational trail use;
- (4) The preservation of abandoned rail corridor property for use as recreational trails is in the public interest; and
- (5) A systematic and continuing statewide program of acquiring abandoned railroad corridor property is needed to preserve this unique and irreplaceable source of recreational trails.

- (b) Duties of Department. --

- (1) The Department shall maintain liaison with, provide factual data to, and work with the Department of Transportation, the State Railroad Administration, the Department of Planning, other agencies, and local governments to determine the suitability for trail purposes of railroad corridor property proposed for abandonment.
- (2) The Department may conduct feasibility studies and appraisals of railroad corridor property proposed for abandonment.
- (3) The Department may acquire railroad corridors pursuant to the National Trails Systems Act, 16 U.S.C. § 1241 et seq., as amended.

- (c) Interim use; leases; public hearings. --

- (1) If, under the provisions of § 7-901 of the Transportation Article, the Department of Transportation acquires railroad corridor property considered suitable for use as recreational trails, the Department may request interim use of the property for public recreational use.
- (2) The Department may lease a corridor from the Department of Transportation and sublease it to a local government subject to all the terms and conditions of the original lease.
- (3) Any lease of railroad corridor property by the Department for interim use for public recreation shall be subject to restoration or reconstruction for railroad purposes, and the interim use may not be considered as an abandonment of the use of the railroad corridor for railroad purposes.

(4) Prior to undertaking the development of a railroad corridor property for recreational use the Department shall conduct a public hearing in the affected county. The hearing shall be advertised in a newspaper of general circulation in the affected county for 3 consecutive weeks.

UNCODIFIED ITEMS

CHAPTER 352. HOUSE BILL 372. Maryland Metro/Transit Funding Act

SECTION 7.

(a) (1) The Washington Metropolitan Area Transit Authority shall study the costs and benefits of using capital funds to fund infrastructure improvements to enhance pedestrian and bicycle access to Metrorail stations and accelerate joint development at Metrorail stations in Maryland.

(2) The study required under paragraph (1) of this subsection shall include projections of increased ridership revenue derived from improved access and accelerated joint development, as well as the degree to which such infrastructure improvements would increase the value of real property owned by the Authority.

(d) The Authority shall study the opportunities at each Metrorail station in Maryland:

(1) to reduce the parking lot and bus bay footprints:

(i) to expand pedestrian and bicycle access; and

(ii) for the development of commercial, residential, and office uses;

(f) On or before June 30, 2019, the Authority shall report the findings of each of the studies required under this section to the Authority board and each of the Compact signatories.

CHAPTER 721. HOUSE BILL 535. Complete Streets Program

SECTION 2.

(a) There is a workgroup to assist the Department of Transportation in developing and reviewing the regulations required under § 8–907 of the Transportation Article as enacted by this Act.

(b) A member of the workgroup:

(1) may not receive compensation as a member of the workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(c) The workgroup shall consist of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Planning, or the Secretary's designee;

(4) the Secretary of the Environment, or the Secretary's designee;

(5) the Administrator of the Maryland Transit Administration, or the Administrator's designee; and

(6) the following individuals appointed by the Governor:

(i) three individuals from different regional planning or transportation agencies;

(ii) one individual from the Baltimore Metropolitan Council;

(iii) one individual from the Metropolitan Washington Council of Governments;

(iv) one individual from the Maryland Municipal League;

(v) one individual from the Maryland Association of Counties; and

(vi) one individual from Bikemore Bike Maryland or another bicycling advocacy organization; and

(vii) one individual from the County Engineers Association of Maryland.

(d) The President of the Senate and the Speaker of the House shall each designate a cochair of the workgroup.

(e) (1) The Department of Transportation shall consult with the workgroup to develop the regulations required under § 8–907 of the Transportation Article as enacted by this Act.

(2) In addition to the requirement under paragraph (1) of this subsection, at least 30 days before the submission of the regulations to the Joint Committee on Administrative, Executive, and Legislative Review under § 10–110 of the State Government Article, the Department shall transmit the regulations to the workgroup for review and comment.

SECTION 3.

AND BE IT FURTHER ENACTED, That this Act may not be construed to require the Maryland Department of Transportation to provide staff or operating expenses for the administration of the Complete Streets Program established under Section 1 of this Act until money is appropriated in the State budget for the Program.

SECTION 4.

AND BE IT FURTHER ENACTED, That, on or before December 1, 2020, the Maryland Department of Transportation, in accordance with § 2–1246 of the State Government Article, shall issue a report to the Senate Finance Committee and the House Environment and Transportation Committee on how the required local funding match is implemented and the effectiveness of the local match requirement.

SECTION 5.

AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018.