

# SENATE BILL 852

R5

11r2678

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By: **Senator Astle**

Introduced and read first time: February 14, 2011

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motorcycles – Protective Equipment – Penalty**

3 FOR the purpose of altering the penalty for certain violations of law relating to the  
4 failure to use protective headgear and other protective equipment while  
5 operating or riding on a motorcycle; and generally relating to motorcycles and  
6 protective equipment.

7 BY repealing and reenacting, without amendments,  
8 Article – Transportation  
9 Section 21–1306(a) through (c) and 27–101(a) and (b)  
10 Annotated Code of Maryland  
11 (2009 Replacement Volume and 2010 Supplement)

12 BY adding to  
13 Article – Transportation  
14 Section 27–101(ee)  
15 Annotated Code of Maryland  
16 (2009 Replacement Volume and 2010 Supplement)

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

19 **Article – Transportation**

20 21–1306.

21 (a) This section does not apply to any person riding in an enclosed cab.

22 (b) An individual may not operate or ride on a motorcycle unless the  
23 individual is wearing protective headgear that meets the standards established by the  
24 Administrator.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) A person may not operate a motorcycle unless:

2 (1) He is wearing an eye-protective device of a type approved by the  
3 Administrator; or

4 (2) The motorcycle is equipped with a windscreen.

5 27-101.

6 (a) It is a misdemeanor for any person to violate any of the provisions of the  
7 Maryland Vehicle Law unless the violation:

8 (1) Is declared to be a felony by the Maryland Vehicle Law or by any  
9 other law of this State; or

10 (2) Is punishable by a civil penalty under the applicable provision of  
11 the Maryland Vehicle Law.

12 (b) Except as otherwise provided in this section, any person convicted of a  
13 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is  
14 subject to a fine of not more than \$500.

15 **(EE) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-1306 IS**  
16 **SUBJECT TO A FINE OF NOT MORE THAN \$25.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 July 1, 2011.