

BY repealing and reenacting, with amendments

Article - Transportation

Section 27-102

Annotated Code of Maryland

(1992 Replacement Volume and 1994 Supplement)

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

**Article - Transportation**

21-1207.1.

(A) (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 ANY PERSON RIDING ON A BICYCLE INCLUDING ANY PASSENGER WHO RIDES~~ 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) 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.

~~(B)~~ (C) A PERSON TO WHOM THIS SECTION APPLIES MAY NOT OPERATE OR RIDE AS A PASSENGER ON A BICYCLE UNLESS THE PERSON IS WEARING A ~~PROPERLY FITTED AND FASTENED~~ HELMET THAT MEETS OR EXCEEDS THE STANDARDS OF THE AMERICAN NATIONAL STANDARDS INSTITUTE, THE SNELL MEMORIAL FOUNDATION'S STANDARD, OR THE STANDARDS OF THE AMERICAN SOCIETY OF TESTING AND MEASUREMENTS FOR PROTECTIVE HEADGEAR FOR USE IN BICYCLING.

(D) 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.