

# SENATE BILL 414

E4, R2

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CF HB 248

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By: **Senators Pugh, Lenett, Madaleno, Muse, Peters, and Raskin**

Introduced and read first time: January 29, 2010

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Equine Riding – Helmet Requirement for Minors**

3 FOR the purpose of prohibiting a person under a certain age from riding an equine on  
4 a highway, an equine-riding path, or a certain other property unless the person  
5 is wearing a properly secured helmet that meets or exceeds certain standards;  
6 providing that a person convicted of a first violation of this Act is subject to a  
7 certain warning; establishing a fine schedule for subsequent violations of this  
8 Act; requiring a court to order the parent or guardian of a person under a  
9 certain age who is convicted of a violation of this Act to pay the fine imposed for  
10 the violation under certain circumstances; requiring a police officer who charges  
11 a person with a violation of this Act to provide certain educational materials to  
12 the person; and generally relating to helmet use while equine riding.

13 BY repealing and reenacting, with amendments,  
14 Article – Transportation  
15 Section 21–104  
16 Annotated Code of Maryland  
17 (2009 Replacement Volume and 2009 Supplement)

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

20 **Article – Transportation**

21 21–104.

22 (a) Every person riding an animal or driving an animal-drawn vehicle on a  
23 roadway has all the rights granted to and is subject to all the duties required of the  
24 driver of a vehicle by this title, except for those provisions of this title that by their  
25 very nature cannot apply.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (b) (1) UNLESS THE PERSON IS WEARING A PROPERLY SECURED  
2 HELMET THAT MEETS OR EXCEEDS THE STANDARDS OF THE AMERICAN  
3 SOCIETY OF TESTING AND MATERIALS OR THE SAFETY EQUIPMENT INSTITUTE  
4 FOR PROTECTIVE HEADGEAR FOR USE IN EQUESTRIAN RIDING, A PERSON  
5 UNDER THE AGE OF 18 MAY NOT RIDE AN EQUINE ON ANY:

6                   (i) HIGHWAY;

7                   (ii) EQUINE-RIDING PATH; OR

8                   (iii) OTHER PROPERTY OPEN TO THE PUBLIC OR USED BY  
9 THE PUBLIC FOR PEDESTRIAN OR VEHICULAR TRAFFIC.

10           (2) A PERSON WHO IS CONVICTED OF A VIOLATION OF  
11 PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO:

12                   (i) FOR A FIRST OFFENSE, A WARNING THAT INFORMS THE  
13 OFFENDER OF THE REQUIREMENTS OF THIS SECTION;

14                   (ii) FOR A SECOND OFFENSE, A FINE OF \$15; AND

15                   (iii) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF \$35.

16           (3) A COURT SHALL ORDER THE PARENT OR GUARDIAN OF A  
17 PERSON UNDER THE AGE OF 14 WHO IS CONVICTED OF A VIOLATION OF  
18 PARAGRAPH (1) OF THIS SUBSECTION TO PAY THE FINE IMPOSED UNDER  
19 PARAGRAPH (2) OF THIS SUBSECTION IF THE VIOLATION OCCURRED IN THE  
20 PRESENCE OF THE PARENT OR GUARDIAN.

21           (4) A POLICE OFFICER WHO CHARGES A PERSON WITH A  
22 VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION SHALL ISSUE TO THE  
23 PERSON EDUCATIONAL MATERIALS PROVIDING INFORMATION ABOUT THE  
24 REQUIREMENTS OF THIS SUBSECTION AND ABOUT PROPER HELMET USE WHILE  
25 RIDING AN EQUINE.

26           (C) (1) Except in Charles, Worcester, and St. Mary's counties, or as  
27 provided in paragraph (2) of this subsection, a person may not ride an animal or drive  
28 an animal-drawn vehicle on:

29                   (i) Any divided highway where the posted maximum speed  
30 limit is more than 35 miles an hour; or

31                   (ii) Any controlled access highway.

1                   (2)     In Anne Arundel County, a person may ride an animal on any part  
2 of a highway described in paragraph (1) of this subsection, other than on its roadway  
3 or shoulder.

4                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2010.