

Del. James C. Rosapepe (21 District)

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841-3114

(Northern PG County)

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Drafted by: morgan

Typed by: ah

Stored - 01/27/91

Proofread by

Checked by

By: Delegate Rosapepe

A BILL ENTITLED

AN ACT concerning

Transportation - Bicycle Advisory Committee

FOR the purpose of establishing a Bicycle Advisory Committee to provide guidance to State agencies on certain bicycling related issues; providing for certain meeting requirements; providing staff support; and generally relating to establishing a Bicycle Advisory Committee.

BY adding to

Article - Transportation

Section 21-1307

Annotated Code of Maryland

(1987 Replacement Volume and 1990 Supplement)

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

Article - Transportation

21-1307.

(A) THE GOVERNOR SHALL APPOINT A BICYCLE ADVISORY COMMITTEE TO PROVIDE GUIDANCE TO STATE AGENCIES CONCERNING:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

- (1) FUNDING OF BICYCLE RELATED PROGRAMS; 18
- (2) PUBLIC EDUCATION AND AWARENESS OF BICYCLING 19
ACTIVITIES; AND 20
- (3) ANY OTHER ISSUE DIRECTLY RELATED TO BICYCLING. 21
- (B) THE COMMITTEE SHALL CONSIST OF THE FOLLOWING: 22
- (1) 1 REPRESENTATIVE EACH FROM: 23
- (I) THE DEPARTMENT OF TRANSPORTATION; 24
- (II) THE DEPARTMENT OF NATURAL RESOURCES; 25
- (III) THE DEPARTMENT OF EDUCATION; 26
- (IV) THE DEPARTMENT OF PUBLIC SAFETY AND 27
CORRECTIONAL SERVICES; 28
- (V) THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT 29
DEVELOPMENT; AND 30
- (2) 1 CITIZEN MEMBER FROM EACH OF THE FOLLOWING 31
AREAS: 32
- (I) THE EASTERN SHORE; 33
- (II) THE BALTIMORE METROPOLITAN AREA; 34
- (III) THE WASHINGTON METROPOLITAN AREA; AND 35
- (IV) WESTERN MARYLAND. 36
- (C) THE GOVERNOR SHALL SELECT A CHAIRMAN FROM AMONG 37
THE CITIZEN MEMBERS. 38
- (D) THE COMMITTEE SHALL MEET AT LEAST QUARTERLY WITH AT 39
LEAST 1 MEETING HELD IN ANNAPOLIS. 40

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(E) THE STAFF FOR THE COMMITTEE SHALL BE PROVIDED BY THE
EXECUTIVE BRANCH AS DIRECTED BY THE GOVERNOR.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
July 1, 1991.

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Drafted by: yarborough

Typed by: mg

Stored - 01/25/91

Proofread by _____

Checked by _____

By: Delegate Rosapepe

A BILL ENTITLED

AN ACT concerning

**Motor Fuel Tax and Vehicle Registration Revenues - Use of Revenues Attributable to
Rate Increase**

FOR the purpose of requiring that the State use its share of revenues attributable to any increase of vehicle registration fees and to a certain portion of any motor fuel tax rate increase on or after a certain date only for certain purposes.

BY repealing and reenacting, with amendments,

Article - Transportation

Section 8-402

Annotated Code of Maryland

(1977 Volume and 1990 Supplement)

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

Article - Transportation

8-402.

(a) There is a Gasoline and Motor Vehicle Revenue Account in the Transportation Trust Fund.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

(b) All revenues collected from the following, after deductions provided by law, shall be credited to the Gasoline and Motor Vehicle Revenue Account:

(1) All of the motor [vehicle] fuel tax;

(2) All fees from oversize and overweight permits issued by the Administration;

(3) Except as otherwise provided by law, all revenues of the Motor Vehicle Administration, including:

(i) The vehicle titling tax;

(ii) Vehicle registration fees;

(iii) Driver's license fees;

(iv) Vehicle titling fees;

(v) Required security penalties as provided in § 17-106 of this article;

and

(vi) Motor vehicle emission inspection fees received by the Administration in accordance with § 23-205 of this article; and

(4) The revenue disbursed to this account under §§ 2-614 and 2-617(1) of the Tax - General Article.

(c) (1) During each fiscal year, the Account shall be used to pay the allocations of highway user revenues provided by this subtitle to the counties, municipalities, and Baltimore City[; and].

(2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE balance of the Account may be used as provided in § 3-216 of this article.

(3) (I) IN THIS PARAGRAPH, "RESTRICTED FUNDS" MEANS

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THE STATE'S SHARE OF THE REVENUES ATTRIBUTABLE TO:

1. THE FIRST 5 CENTS OF ANY INCREASE ON OR
AFTER JANUARY 1, 1991 OF THE MOTOR FUEL TAX RATE; AND

2. ANY INCREASE ON OR AFTER JANUARY 1, 1991 OF
VEHICLE REGISTRATION FEES.

(II) 3 PERCENT OF THE RESTRICTED FUNDS SHALL BE
USED ONLY TO PAY OR FINANCE THE COST OF FOOTPATHS, BRIDLE
PATHS OR HORSE TRAILS, OR BICYCLE TRAILS, AS AUTHORIZED UNDER §
8-409 OF THIS SUBTITLE.

(III) THE REMAINDER OF THE RESTRICTED FUNDS SHALL
BE USED ONLY TO PAY OR FINANCE THE COST OF:

1. RAIL FACILITIES, AS DEFINED IN § 3-101(I) OF THIS
ARTICLE;

2. TRANSIT FACILITIES, AS DEFINED IN § 3-101(K) OF
THIS ARTICLE; OR

3. FOOTPATHS, BRIDLE PATHS OR HORSE TRAILS, OR
BICYCLE TRAILS, AS AUTHORIZED UNDER § 8-409 OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
July 1, 1991.

Drafted by: Morgan

Typed by: mg

Stored - 01/28/91

Proofread by Checked by

By: Delegate Rosapepe

A BILL ENTITLED

AN ACT concerning

Transportation - Bicycle Programs - Funding

FOR the purpose of allocating certain funds from the Gasoline and Motor Vehicle Revenue Account and federal highway funds from the Transportation Trust Fund for certain bicycle-related programs; and generally relating to the funding of bicycle programs.

BY renumbering

Article - Transportation

Section 8-505(b) and (c), respectively

to be Section 8-505(c) and (d), respectively

Annotated Code of Maryland

(1977 Volume and 1990 Supplement)

BY repealing and reenacting, with amendments,

Article - Transportation

Section 8-402

Annotated Code of Maryland

(1977 Volume and 1990 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

BY adding to

Article - Transportation

Section 8-505(b)

Annotated Code of Maryland

(1977 Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 8-505(b) and (c), respectively, of Article - Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 8-505(c) and (d), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Transportation

8-402.

(a) There is a Gasoline and Motor Vehicle Revenue Account in the Transportation Trust Fund.

(b) All revenues collected from the following, after deductions provided by law, shall be credited to the Gasoline and Motor Vehicle Revenue Account:

(1) All of the motor vehicle fuel tax;

(2) All fees from oversize and overweight permits issued by the Administration;

(3) Except as otherwise provided by law, all revenues of the Motor Vehicle Administration, including:

(i) The vehicle titling tax;

(ii) Vehicle registration fees;

(iii) Driver's license fees; 42

(iv) Vehicle titling fees; 43

(v) Required security penalties as provided in § 17-106 of this article; 44

and 45

(vi) Motor vehicle emission inspection fees received by the 46
Administration in accordance with § 23-205 of this article; and 47

(4) The revenue disbursed to this account under §§ 2-614 and 2-617(1) of 48
the Tax - General Article. 49

(c) (1) During each fiscal year, the Account shall be used to pay the allocations 50
of highway user revenues provided by this subtitle to the counties, municipalities, and 51
Baltimore City; and 52

(2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS 53
SUBSECTION, THE balance of the Account may be used as provided in § 3-216 of this 54
article. 55

(3) THREE PERCENT OF THE STATE'S SHARE OF THE REVENUES 56
ATTRIBUTABLE TO THE MOTOR FUEL TAX RATE SHALL BE ALLOCATED 57
ANNUALLY TO PAY OR FINANCE THE COST OF BICYCLE-RELATED 58
PROGRAMS INCLUDING: 59

(I) THE CONSTRUCTION AND MAINTENANCE OF BICYCLE 60
TRAILS OR PATHS; AND 61

(II) THE ESTABLISHMENT OF BICYCLE SAFETY AND 62
EDUCATIONAL PROGRAMS. 63

8-505. 64

(B) TO THE EXTENT AUTHORIZED BY FEDERAL LAW, THE 65
ADMINISTRATION SHALL ALLOCATE ON AN ANNUAL BASIS 3 PERCENT OF 66

FEDERAL FUNDS RECEIVED UNDER THIS SUBTITLE TO FUND BICYCLE-RELATED PROGRAMS INCLUDING:

(1) THE CONSTRUCTION AND MAINTENANCE OF BICYCLE PATHS OR TRAILS; AND

(2) THE ESTABLISHMENT OF BICYCLE SAFETY AND EDUCATIONAL PROGRAMS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Drafted by: smerko

Typed by: nhm

Stored - 01/28/91

Proofread by

Checked by NB-EP

By: Delegate Rosapepe

A BILL ENTITLED

AN ACT concerning

Bicycle Safety Education

FOR the purpose of requiring public schools to provide instruction regarding traffic safety, including bicycle safety; requiring certain questions to be included on the Motor Vehicle Administration's driver's examination; requiring the Maryland Driver's Handbook to include certain information; and generally relating to bicycle safety education.

BY adding to

Article - Education

Section 7-419

Annotated Code of Maryland

(1989 Replacement Volume and 1990 Supplement)

BY repealing and reenacting, with amendments,

Article - Transportation

Section 16-110

Annotated Code of Maryland

(1987 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

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MARYLAND, That the Laws of Maryland read as follows:

Article - Education

7-419.

(A) EACH PUBLIC SCHOOL SHALL HAVE A TRAFFIC SAFETY EDUCATION PROGRAM.

(B) THE TRAFFIC SAFETY EDUCATION PROGRAM SHALL PROVIDE INFORMATION TO STUDENTS REGARDING:

(1) PEDESTRIAN SAFETY;

(2) BICYCLE SAFETY;

(3) VEHICLE OCCUPANT SAFETY; AND

(4) ANY OTHER RELATED ISSUES CONSIDERED APPROPRIATE BY THE STATE BOARD.

(C) THE STATE BOARD SHALL CONSULT WITH THE BICYCLE ADVISORY COMMITTEE IN IMPLEMENTING THE TRAFFIC SAFETY EDUCATION PROGRAM.

Article - Transportation

16-110.

(a) The Administration shall:

(1) Establish qualifications for the safe operation of the various classes, types, sizes, or combinations of vehicles; and

(2) Examine each applicant to determine his qualifications for the license class applied for.

(b) Except as otherwise provided in this title, the Administration shall examine

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each applicant for an original driver's license or for a class of driver's license higher than that which the applicant currently holds.

(c) (1) The examination shall include:

[(1)] (I) A test of the applicant's:

[(i)] 1. Vision;

[(ii)] 2. Ability to read and understand highway signs regulating, warning, and directing traffic; and

[(iii)] 3. Knowledge of the traffic laws of this State and safe driving practices;

[(2)] (II) A demonstration of the applicant's ability to exercise reasonable control in driving a motor vehicle; and

[(3)] (III) Any other additional physical or mental examination that the Administration considers necessary to determine an applicant's fitness to drive a motor vehicle safely.

(2) THE EXAMINATION SHALL CONTAIN AT LEAST 2 QUESTIONS REGARDING BICYCLISTS' USE OF THE ROAD.

(d) If an applicant is qualified to take the required examinations for the license applied for, the applicant shall appear in person for examination at any one of the places in this State that the Administration has designated for this purpose.

(e) (1) For the required driving test, each applicant shall provide a motor vehicle of a type appropriate to test the applicant's ability to drive all vehicles that may be driven under the license class applied for.

(2) Except as provided in paragraphs (3) and (4) of this subsection, when the holder of a learner's instructional permit appears for the driving test, he shall be accompanied by an individual qualified under § 16-105 of this subtitle to accompany the

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holder of a learner's permit while driving on a highway. That individual shall have his driver's license with him.

(3) The holder of a Class E or M (motorcycle) learner's instructional permit may:

(i) Transport a motorcycle to the driving test by truck or other vehicle unaccompanied by another individual, if the permit holder is licensed to drive the truck or other vehicle; or

(ii) Be accompanied by a person transporting a motorcycle to the test by truck or other vehicle, if that person is licensed to drive the truck or other vehicle.

(4) The holder of a learner's instructional permit may be driven to the examination station and to the starting point where the examiner begins the test by any individual authorized to drive the class of vehicle in which the test is being given. That individual shall have his driver's license with him.

(f) If the applicant does not pass the examination for the license class applied for, the Administration may issue the applicant any license of a lower class for which he qualifies.

(G) (1) IN THE MARYLAND DRIVER'S HANDBOOK PROVIDED TO APPLICANTS, THE ADMINISTRATION SHALL INCLUDE A CHAPTER ON BICYCLISTS' USE OF THE ROADS.

(2) THE CONTENTS OF THIS CHAPTER SHALL BE SUBJECT TO THE APPROVAL OF THE BICYCLE ADVISORY COMMITTEE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.