

Maryland Department of Transportation Office of the Secretary 7201 Corporate Center Drive Hanover MD 21076

Committee: ENV <u>Date</u>: 3/20/12 <u>Bill #</u>: HB 1397

Position: OPPOSE Title: Vehicle Laws - Overtaking and Passing

Bicycles, EPAMDs, and Motor Scooters

Explanation: House Bill 1397 would allow a vehicle to drive on the left side of the roadway in a no-passing zone (crossing a double yellow line) for the purposes of maintaining a 3-foot buffer when passing a bicycle, EPAMD, or motor scooter that is travelling in the same direction.

Comment: The Maryland Department of Transportation (MDOT) opposes HB 1397.

Double yellow lines are official traffic markings that are used to maintain the safe flow of traffic and to indicate no passing zones. Currently, the only exception to this law is for left turns. To codify further exceptions is unnecessary, as current law adequately addresses overtaking and passing bicycles.

Currently, the Maryland Driver's Manual covers the appropriate way to address slow moving vehicles, such as bicycles and farm vehicles – adjust the speed and position of your vehicle accordingly; and only pass the slow moving vehicle when it is safe to do so. Additionally, the Manual specifically addresses the issue of passing a bicyclist – pass a bicyclist as you would any slowly moving vehicle; be prepared to slow down, wait until oncoming traffic is clear and then allow at least 3 feet of clearance between your car and the bicyclist when passing. Furthermore, the manual states that the same 3-foot clearance applies whether you are passing a bicyclist in a bike lane, on the shoulder or in the same lane as your car. While not stated in Maryland law, it must be allowable, when it is safe to do so, to cross "no passing" markings to avoid an obstruction or a slow moving obstruction, such as a bicycle. Not to do so would hold or obstruct traffic for an undetermined amount of time.

Further, HB 1397 specifies that a vehicle may only cross a double yellow line to pass certain types of slow moving vehicles: bicycles, EPAMDs, or motor scooters. The MDOT believes that the rules of the road should not codify limited, conditions specific to only certain vehicles when another vehicle may cross a double yellow line.

Under Maryland law, drivers have the responsibility to operate their vehicles safely and to not do so in a careless or imprudent manner that endangers anyone's property or life. The provisions noted above have been in place for several years and MDOT believes that they are sufficient to address overtaking and passing bicycles, and other slow moving vehicles, while maintaining the safe flow of traffic on our roadways and in no passing zones.

For these reasons, MDOT respectfully requests that the Committee grant HB 1397 an unfavorable report.

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