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Title: Non-motorized Wheeled Vehicles on Sidewalks - For the purpose of encouraging the Maryland General Assembly to amend State law to allow non-motorized wheeled vehicles on sidewalks by default; providing amendment language; and generally relating to non-motorized wheeled vehicles on sidewalks.

Sponsors: Elly Tierney, Rhonda Pindell Charles, Brooks Schandelmeier

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Date	Ver.	Action By	Action	Result
3/8/2021	1	City Council	adopt on second reader	Pass
2/8/2021	1	City Council	adopt on first reader	Pass

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**CITY COUNCIL OF THE
City of Annapolis**

Resolution 2-21

Introduced by: Alderwoman Tierney

Co-sponsored by: Alderwoman Pindell Charles, Alderman Schandelmeier

A RESOLUTION concerning

Non-motorized Wheeled Vehicles on Sidewalks

FOR the purpose of encouraging the Maryland General Assembly to amend State law to allow non-motorized wheeled vehicles on sidewalks by default; providing amendment language; and generally relating to non-motorized wheeled vehicles on sidewalks.

WHEREAS, Annapolis requires a more diverse and resilient transportation system to support its citizens and commerce; and

WHEREAS, alternative transportation modes contribute increasingly to the diversity and resilience of the overall transportation system; and

WHEREAS, non-motorized wheeled vehicles, such as bicycles, are growing in their importance among alternative modes of transportation; and

WHEREAS, safety concerns represent the primary factor inhibiting people who want to use non-motorized

vehicles for transportation; and

WHEREAS, the development of new infrastructure, such as individualized road lanes and paths for non-motorized vehicles, or pedestrian only paths are hindered by lack of funding and time constraints; and

WHEREAS, infrastructure in the form of sidewalks currently exist but are underutilized due to a defect in State law that exacerbates personal safety concerns among cyclists; and

WHEREAS, child, elderly, and inexperienced cyclists are presently mandated by State law to use roads and streets designed for high-speed automotive traffic when safer and underutilized sidewalks are available; and

WHEREAS, state, county, and municipal laws are confusing, inconsistent, and either discourage or prohibit the safe use of existing infrastructure by non-motorized wheeled vehicles; and

WHEREAS, Maryland stands in a small minority of 4 out of 50 states and the District of Columbia in prohibiting non-motorized wheeled vehicles on sidewalks; and

WHEREAS, on January 11, 2021, the Annapolis City Council adopted Ordinance 31-20, to serve as an interim measure pending reform of State law.

NOW, THEREFORE,

BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Maryland General Assembly is encouraged to modify the Maryland Annotated Code, Transportation Article, Section 21-1103(b)(2) to allow by default non-motorized vehicles on sidewalks throughout the State of Maryland, and suggests the following amendments:

“Maryland State Code, Transportation, Title 21 - Vehicle Laws -- Rules of the Road Subtitle 11 - Miscellaneous Rules, § 21-1103. Driving on sidewalk.

- a) Except as provided in subsection (b), (c), or (d) of this section, a person may not drive any vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary driveway.
- b)
 - 1) For the purposes of this subsection, “bicycle” does not include “moped”, as defined in § 11-134.1 of this article.
 - 2) ~~Where allowed~~ UNLESS PROHIBITED by local ordinance, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area. RIDERS SHALL PROCEED IN A SAFE MANNER, YIELDING TO PEDESTRIANS.
 - 3) In a place where a person may ride a bicycle on a sidewalk or sidewalk area, a person may also ride a bicycle from the curb or edge of the roadway in or through a crosswalk to the opposite curb or edge of the roadway.
- c) Unless prohibited by local ordinance, an individual with a disability may use a special vehicle other than a wheelchair on sidewalks or sidewalk areas.
- d) An individual may use a wheelchair on sidewalks or sidewalk areas in accordance with § 21-501.1 of this title.”

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that members of our delegation to the Maryland General Assembly, especially those members on the Maryland Transportation Caucus, are encouraged to advocate for these amendments to the Maryland State Code.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis will continue to work with Anne Arundel County in an effort to unify State, County, and City laws relating to non-motorized wheeled vehicles.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis commits to work with Anne Arundel County to develop clear assessment requirements, safety standards, and administrative procedures under any State reformed law relating to sidewalks and non-motorized wheeled vehicles.

AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City Clerk shall send a copy of this Resolution to the Governor, the President of the Senate, the Speaker of the House of Delegates, and the Maryland Municipal League.

EXPLANATION

UPPERCASE indicates matter added.

~~Strikethrough~~ indicates matter stricken.