HOUSE BILL 1410

R5 7lr2938

HB 559/16 - ENV

By: Delegates Anderson, Arentz, Clark, S. Howard, Impallaria, Knotts, Kramer, Morgan, and Rey

Introduced and read first time: February 10, 2017 Assigned to: Environment and Transportation

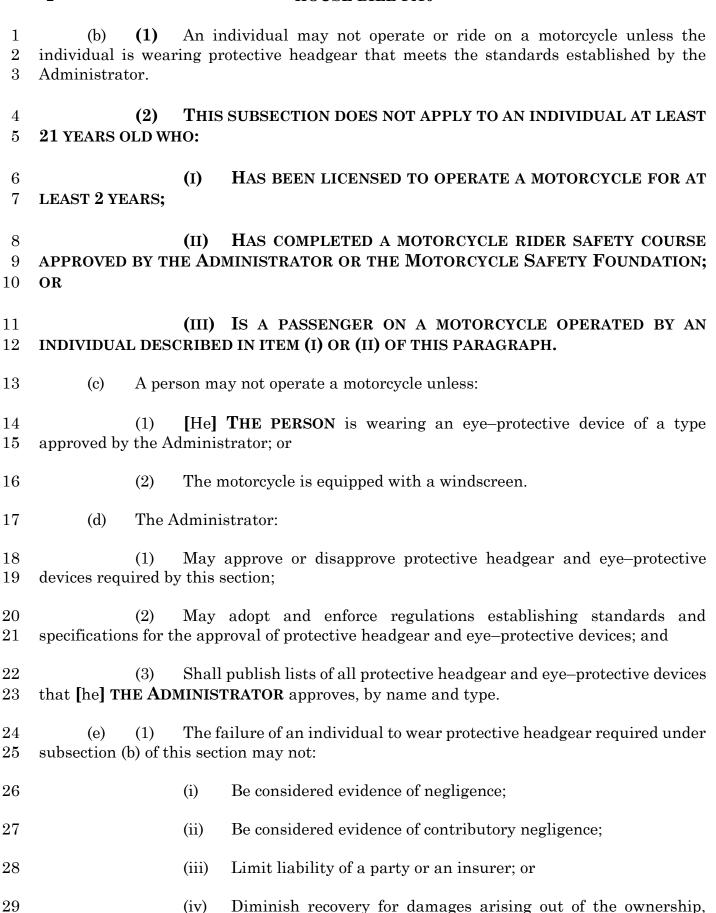
A BILL ENTITLED

1	AN ACT concerning
2 3	Vehicle Laws - Protective Headgear Requirement for Motorcycle Riders - Exception
4 5 6 7 8 9 10 11	FOR the purpose of providing that a certain prohibition against operating or riding on a motorcycle without certain protective headgear does not apply to an individual at least a certain age who has been licensed to operate a motorcycle for a certain period of time, has completed a certain motorcycle safety course, or is a passenger on a motorcycle operated by a driver who has been licensed for a certain period or completed a certain safety course; making stylistic changes; and generally relating to the requirement that protective headgear be worn by operators or riders of motorcycles.
12 13 14 15 16	BY repealing and reenacting, with amendments, Article – Transportation Section 21–1306 Annotated Code of Maryland (2012 Replacement Volume and 2016 Supplement)
17 18	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows:
19	Article - Transportation
20	21–1306.
21	(a) This section does not apply to any person riding in an enclosed cab.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





maintenance, or operation of a motorcycle.

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(2) Subject to the provisions of paragraph (3) of this subsection, a party, witness, or counsel may not make reference to protective headgear during a trial of a civil action that involves property damage, personal injury, or death if the damage, injury, or death is not related to the design, manufacture, supplying, or repair of protective headgear.

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- (3) (i) Nothing contained in this subsection may be construed to prohibit the right of a person to institute a civil action for damages against a dealer, manufacturer, distributor, factory branch, or other appropriate entity or person arising out of an incident that involves protective headgear alleged to be defectively designed, manufactured, or repaired.
- 10 (ii) In a civil action described under subparagraph (i) of this 11 paragraph in which 2 or more parties are named as joint tort—feasors, interpleaded as 12 defendants, or impleaded as defendants, and at least 1 of the joint tort—feasors or 13 defendants is not involved in the design, manufacture, supplying, or repair of protective 14 headgear, a court shall order on a motion of any party separate trials to accomplish the 15 ends of justice.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.