

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2004 Legislative Session**

Bill No. CB-104-2004  
 Chapter No. 82  
 Proposed and Presented by Council Members Dernoga and Peters  
 Introduced by Council Members Dernoga, Harrington, Dean, Exum, Bland and Knotts  
 Co-Sponsors \_\_\_\_\_  
 Date of Introduction November 1, 2004

**BILL**

1 AN ACT concerning

2 Off-Road Vehicles

3 For the purpose of amending provisions of the County Code relating to Off-the-Road  
 4 Motorcycles; defining Off-Road Vehicles and requiring such vehicles to be registered with the  
 5 County; and imposing restrictions and penalties on the operation of Off-Road Vehicles.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 26. VEHICLES AND TRAFFIC.

8 Sections 26-172, 26-173, 26-174, and 26-175,

9 The Prince George's County Code

10 (2003 Edition).

11 BY adding:

12 SUBTITLE 26. VEHICLES AND TRAFFIC.

13 Section 26-174.01,

14 The Prince George's County Code

15 (2003 Edition).

16 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
 17 Maryland, that Sections 26-172, 26-173, 26-174 and 26-175 of the Prince George's County Code  
 18 be and the same are hereby repealed and reenacted with the following amendments:

19 **SUBTITLE 26. VEHICLES AND TRAFFIC.**

20 **DIVISION 19. OFF [THE] -ROAD [MOTORCYCLES] VEHICLES.**

1 **Sec. 26-172. Definitions.**

2 (a) The following definitions shall apply to this Division:

3 (1) **All-Terrain Vehicle** shall mean a motor driven, off-road, recreational vehicle that  
4 has a saddle or seat for use of the rider, is designed to travel on at least three low-pressure tires,  
5 and is not subject to registration requirements under the Maryland Vehicle Law.

6 (2) **Miniature Scooter** shall mean a motorized or electric two-wheel vehicle that has  
7 a saddle or seat for the rider or may be operated while standing and is not subject to registration  
8 or licensing requirements under the Maryland Vehicle Law, and includes scooters commonly  
9 referred to as "razor scooters" or "go-peds".

10 (3) **Miniature Motorcycle** shall mean a motorized or electric two-wheel vehicle that  
11 has a saddle or seat for the rider, is not subject to registration under the Maryland Vehicle Law,  
12 and includes mini-motorcycles commonly referred to as "pocket bikes".

13 (4) **Off-Road Vehicle** shall mean a vehicle that has been manufactured for off-road  
14 use and not subject to registration under the Maryland Vehicle Law, including off-the-road  
15 motorcycles, miniature motorcycles, miniature scooters and all-terrain vehicles.

16 (5) **Off-the-Road Motorcycles** shall have the meaning given by Section 25-102.01  
17 of the Transportation Article, Annotated Code of Maryland, and shall mean a motorcycle not  
18 otherwise registered under the Transportation Article and includes motorcycles designed for off-  
19 the-road operation, motorcycles not otherwise eligible for registration under the Transportation  
20 Article, and motorcycles commonly referred to as "dirt bikes." The term "Off-the-Road  
21 Motorcycles" shall not include a "Moped" as defined in Section 11-134.01 of the Transportation  
22 Article, Annotated Code of Maryland.

23 **Sec. 26-173. Registration.**

24 All off-[the-]road [motorcycles] vehicles shall be registered with the Prince George's  
25 County Department of Environmental Resources and shall display the registration tag issued by  
26 the Department. The registration tag shall be firmly attached and kept clean and legible at all  
27 times. The registration fee shall be Thirty Dollars (\$30.00) and shall be valid for two (2) years.  
28 The off-[the-]road [motorcycle] vehicle shall be required to be reregistered upon sale or transfer  
29 to any new owner. Registration of the [motorcycle] vehicle shall be in the name of the owner or,  
30 where the owner is under the age of eighteen (18) years, in the name of the parent or guardian.

1 **Sec. 26-174. Use of [motorcycles] off-road vehicles.**

2 (a) An off-road vehicle shall not be driven or operated on any public street or sidewalk  
 3 within Prince George's County.

4 (b) An off-[the-]road [motorcycle] vehicle shall not be driven, or the motor allowed to run,  
 5 on any private or publicly owned property unless the person using the [motorcycle] vehicle has  
 6 on his person, the express written permission of an owner or other person having jurisdiction of  
 7 the property in advance of its entry onto the property.

8 (c) An off-road vehicle may only be operated on private property between the hours of 7  
 9 a.m. and 8 p.m.

10 (d) A child under the age of sixteen (16) years must be supervised by a parent or guardian  
 11 while operating an off-road vehicle.

12 (e) Helmets must be worn by all drivers and passengers while the vehicle is being  
 13 operated.

14 **Sec. 26-175. Enforcement.**

15 (a) Any violation of this Division shall be subject to a civil monetary fine of Two Hundred  
 16 Fifty Dollars (\$250.00) for the first violation, Five Hundred Dollars (\$500.00) for the second  
 17 violation, and One Thousand Dollars (\$1,000.00) for any subsequent violation pursuant to the  
 18 provisions of Subtitle 28 of this Code. The citation notice shall be issued in the name of the  
 19 operator unless the operator is under the age of eighteen (18) years in which case the citation  
 20 notice shall be issued to the person in whose name the [motorcycle] vehicle is registered. Where  
 21 the operator is under the age of eighteen (18) years and the [motorcycle] vehicle is not registered,  
 22 the citation notice shall be issued to the parent or guardian of the operator.

23 (b) The County may seek an injunctive order pursuant to the provisions of Subtitle 28 of  
 24 this Code to prevent such conduct by the violator in the future and to recover damages from the  
 25 violator for any injury to County property occurring as a result of the violation.

26 (c) The County Police Department may impound any unregistered off-road vehicle  
 27 pursuant to the provisions of Division 18 of this Subtitle. The vehicle may be impounded until  
 28 such time as the fine and all towing and storage fees are paid by the operator, the operator's  
 29 parent or legal guardian.

30 SECTION 2. BE IT FURTHER ENACTED that Section 26-174.01 of the Prince George's  
 31 County Code be and the same is hereby added:

**SUBTITLE 26. VEHICLES AND TRAFFIC.**

**DIVISION 19. OFF [THE]- ROAD [MOTORCYCLES] VEHICLES.**

**Sec. 26-174.01 Exceptions.**

(a) Motorized golf carts may be operated on any licensed public or private golf course.

(b) Mobility devices for disabled persons including electric motor-driven wheelchairs and scooters are exempt from the requirements of this Division.

(c) All-terrain vehicles used by government agencies in the performance of their official duties are exempt from the requirements of this Division.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect April 1, 2005.

Adopted this 30th day of November, 2004.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_

Tony Knotts  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_

Jack B. Johnson  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.