

## MARYLAND STATUTES

### **Title 08 DEPARTMENT OF NATURAL RESOURCES**

#### **Subtitle 01 OFFICE OF THE SECRETARY**

#### **Chapter 03 Off-Road Vehicles**

Authority: Natural Resources Article, §§1-104 and 5-209,  
Annotated Code of Maryland

##### **08.01.03.01**

###### **.01 Application.**

A. This chapter applies to any motorized vehicle that falls within the definition of off-road vehicle in Regulation .02B(8) of this chapter.

B. Except as provided in this chapter, an off-road vehicle may not be operated on a forest or park trail designated in Regulation .11 of this chapter.

C. Emergency vehicles are exempted from this chapter.

D. The following are exempted from provisions of this chapter if the vehicle use is an approved Department activity that includes:

(1) Earth-moving, construction, or logging equipment;

(2) Vehicles used for the development, maintenance, management, or protection of Department lands; and

(3) Vehicles used by individuals and their guests with easements for rights-of-way through public land to provide access to private properties.

###### **.02 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "ANSI" means the American National Standards Institute.

(2) "ASTM" means the American Society for Testing and Materials.

(3) "Commissioned officer" means a forest or park warden, or forest or park ranger, having the meaning stated in Natural Resources Article, §5-206, Annotated Code of Maryland.

(4) "Deer firearms season" means those dates open for hunting deer in accordance with COMAR 08.03.03.06-----08.

(5) "Department" means the Department of Natural Resources.

(6) "Department lands" means the State forests, parks, wildlife areas, and natural resource management areas.

(7) "Manager" means that commissioned officer or designated employee having management authority for a particular Department land.

(8) Off-Road Vehicle (ORV).

(a) "Off-road vehicle (ORV)" means a motorized vehicle designed for or capable of cross-country travel on land, water, snow, ice, marsh, swampland, or other natural terrain.

(b) "Off-road vehicle (ORV)" includes:

(i) A four-wheel drive or low pressure tire vehicle;

(ii) An automobile;

(iii) A truck;

(iv) A motorcycle and related two-wheel vehicle;

(v) An amphibious machine;

(vi) A ground effect or air cushion vehicle;

(vii) A snowmobile; and

(viii) A golf cart.

(9) "ORV trail" means an area designated for use by ORVs.

(10) "SAE" means the Society of Automotive Engineers, Inc.

(11) "Secretary" means the Secretary of Natural Resources.

(12) "Snowmobile" means a track-powered vehicle manufactured specifically for recreational use over snow.

### **.03 Registration and Licensing Requirements for Operating ORVs on Designated Areas.**

A. Restrictions.

(1) Subject to the restrictions of §A(2)----(4) of this regulation, an individual may operate an ORV in the areas designated in Regulation .11 of this chapter.

(2) The operator shall be:

(a) The holder of a valid driver's license which is in the operator's possession;

(b) The holder of a Maryland instruction and examination learner's permit, which is in the operator's possession, and accompanied by a licensed driver; or

(c) 12 years old or older and accompanied by a parent or legal guardian who is the holder of a valid driver's license which is in the parent's or guardian's possession.

(3) The operator shall possess and have in the operator's possession:

(a) A certificate of registration; or

(b) A copy of the lease or rental agreement which shall contain all of the following:

(i) Signature of the owner or the authorized agent,

(ii) Signature of the person leasing or renting the ORV,

(iii) Motor Vehicle Administration identification number of the ORV, and

(iv) Time period of the lease or rental.

(4) The ORV shall be registered annually with the:

(a) Department and display a registration sticker in accordance with the requirements of this regulation; or

(b) Motor Vehicle Administration if the operator is in possession of a valid Maryland hunting or fishing license.

B. Registration stickers and certificates of registration are available by mail or in person at the Department's regional service centers, the Annapolis office, and designated agents in accordance with §E of this regulation.

C. The applicant shall pay an applicable annual service charge and provide the following information on the proper forms supplied by the Department:

(1) Name, address, and telephone number of the owner;

(2) County and state of residence of the owner;

- (3) Type of ORV;
- (4) Make, model year, horsepower, and cylinders of the ORV;
- (5) Serial number of the ORV; and
- (6) Signature of the owner.

D. The Department may furnish an ORV registration sticker and certificate of registration on consignment to an individual who provides a bond or other security considered sufficient and adequate by the Department to insure payment for the registration sticker and certificate of registration.

E. A registration sticker and certificate of registration issued by the Department:

- (1) Shall be renewed annually;
- (2) Shall authorize use of the ORV only in those areas set forth in Regulation .11 of this chapter;
- (3) May not be transferred; and
- (4) May be revoked or suspended by the Department for a violation of this chapter.

F. A registration sticker shall be displayed on the left front portion of the vehicle to insure visibility at 100 feet during daylight hours.

**.04 Disposition of Proceeds.**

The Department may use the service charges, collected under Regulation .03C of this chapter, to promote use of ORVs by:

- A. Identifying and posting ORV trails for use;
- B. Acquiring, developing, and managing ORV trails; and
- C. Patrolling and maintaining ORV trails.

**.05 ORV Standards.**

A. An ORV may not be operated on Department lands unless it conforms to applicable State laws and regulations relating to registration, operation, and inspection requirements, and is equipped with:

- (1) At least one headlight and one red tail light that are operational between sundown and sunrise;

(2) A braking system adequate to control the movement and to stop and hold the vehicle under all operating conditions; and

(3) A muffler or other effective noise suppression system in good working order that is:

(a) In constant operation,

(b) Maintained and operated in a manner to prevent excessive or unusual noise caused by an ORV not in compliance with this chapter.

#### B. Equipment for Riders.

(1) Headgear. An individual may not operate or ride on a snowmobile, motorcycle, or other ORV unless the individual is wearing protective headgear that meets the standards established in Transportation Article, §21-1306, Annotated Code of Maryland.

(2) Eye Protection or Windscreen. An individual may not operate a snowmobile, motorcycle, or other ORV unless an eye-protective device or a windscreen is used that is of a type approved in Transportation Article, §21-1306, Annotated Code of Maryland.

C. Three-wheel vehicles are prohibited from use on a State ORV trail unless the three-wheel vehicle:

(1) Is registered as an on-road vehicle with the Motor Vehicle Administration; and

(2) Meets the requirements of this chapter.

D. A commissioned officer representing the Department may determine the acceptability and admissibility of an ORV on Department lands.

### **.06 Operating Requirements for ORVs on Department Lands.**

#### A. Operating Requirements.

(1) Snowmobiles may be operated only on ORV trails designated for snowmobile use.

(2) A snowmobile may be used on trails designated for its use from December 15 through March 15 of each year, except for certain trails which may be closed to facilitate hunting activity during firearms season or other seasonal special events.

(3) The manager may open or close trails at any time of the year based upon consideration of overall physical, environmental, and recreational use for:

(a) Removing trail hazards;

(b) Conducting educational programs, safety programs, or special events; or

(c) Using snowmobile trails when snow conditions warrant.

(4) A snowmobile ORV trail may be closed at any time by the manager when one or more of the following conditions occur on the trail:

(a) Insufficient snow;

(b) Dangerous or defective conditions; or

(c) Use that may:

(i) Threaten or harm wildlife, or

(ii) Conflict with other recreational uses.

B. Exceptions to the restrictions set forth in §A of this regulation may be made by the Secretary.

C. Except for snowmobile trails designated for two-wheel and four-wheel vehicle use during deer firearm season, as set forth in COMAR 08.03.03, ORVs, other than snowmobiles, are prohibited from use on snowmobile trails from December 15 through March 15 of each year.

D. An individual may not operate an ORV on ORV trails:

(1) In a reckless, careless, or negligent manner;

(2) In willful or wanton disregard for the rights or safety of an individual or property;

(3) While under the influence of alcohol or drugs;

(4) In a manner which causes damage to property, wildlife, vegetative resources, or individuals;

(5) In an area customarily used for vehicular traffic or parking;

(6) In a manner to cause or permit the obstruction of traffic by unnecessary parking or stopping; or

(7) In an area not designated by this chapter.

E. Closings.

(1) A restricted area of operation may be posted at any time by the Department against public entry of the area for the protection of the environment or visitors and during:

(a) Periods of construction, maintenance, or adverse road conditions;

(b) Periods of forest operations or high fire hazard; or

(c) Hunting seasons or other special events.

(2) If an area identified in Regulation .11 of this chapter is required to be closed for more than 6 months in a calendar year, the suitability of the area for ORV use shall be reviewed and modified according to the provisions of Regulation .10 of this chapter.

F. Except for an individual with a special permit under COMAR 08.03.10.09, while in or on an ORV, an individual may not:

(1) Possess a loaded weapon;

(2) Discharge a weapon on or across a road or trail; or

(3) Pursue wildlife.

G. An ORV is subject to the provisions of other applicable Department regulations.

H. An individual shall obey any reasonable or lawful order of a commissioned officer in connection with the use or operation of an ORV.

#### **.07 Reporting Accidents.**

A. The operator of an ORV shall file a written report with the Department on a form, available from an authorized agent of the Department, if the vehicle is in an accident which involves the following:

(1) Death of an individual or animal;

(2) Injuries to an individual or animal; or

(3) Property damage in excess of \$100.

B. If death occurs, the operator shall submit the written report to the Department within 48 hours after the accident. For other reportable accidents, the operator shall submit the written report to the Department within 5 days after the accident.

C. If the operator fails to provide the written report, the owner of the ORV shall do so.

D. Each written report of an accident shall contain the following:

(1) Registration number of the ORV or vehicles involved;

(2) Location of the accident;

- (3) Date and time of the accident;
- (4) Weather conditions at the time of the accident;
- (5) Name, address, and age of the:
  - (a) Individual preparing the report,
  - (b) Owners of the ORV and other property involved,
  - (c) Operators of any ORV involved, and
  - (d) Any fatalities or injuries;
- (6) Description of damage to property or animal, and estimated cost of repairs;
- (7) Nature and extent of injury to an individual;
- (8) Description of the accident; and
- (9) Names and addresses of known witnesses.

**.08 Noise Level Limits and Enforcement Schedules.**

A. Exception. This regulation does not apply to devices used solely for the purpose of warning, protecting, or alerting the public of the existence of an emergency situation.

B. Snowmobiles.

(1) An individual may not operate a snowmobile on Department lands that produces a maximum noise exceeding the noise level limits set forth in §B(2) of this regulation, measured at a distance not less than 50 feet from the point of operation under test procedures established by the SAE.

(2) Noise level limits and the effective dates for enforcement are:

<i>Vehicle</i>	<i>Date of Manufacture</i>	<i>Maximum Sound Level at 50 Feet (as tested by SAE J331(a) or equivalent)</i>
Snowmobiles	Before July 1, 1976	84 dB(A)
	After July 1, 1976	78 dB(A)

C. Motorcycles and Other ORVs.

(1) An individual may not operate a motorcycle or other ORV on Department lands that produces a maximum noise exceeding the noise level limits set forth in §C(2) of this regulation, measured at a distance not less than 50 feet from the point of operation under test procedures established by the SAE, ANSI, or ASTM.

(2) Noise level limits and the effective dates for enforcement are:



<i>Vehicle</i>	<i>Date of Manufacture</i>	<i>Maximum Sound Level at 50 Feet (as tested by SAE J331(a) or equivalent)</i>
Motorcycles and Other ORV's	Before July 1, 1976	86 dB(A)
	After July 1, 1976	84 dB(A)

**.09 Violations.**

An individual who violates any provision of this chapter is subject to the provisions of Natural Resources Article, §5-1301, Annotated Code of Maryland, in addition to any penalties under Criminal Law Article, §6-405, Annotated Code of Maryland.

**.10 ORV Trail Designation Procedure and Criteria.**

A. ORV trails are described in this regulation and identified on the location maps in Regulation .12 of this chapter.

B. Before acquiring or designating a trail for off-road use, the Department shall:

(1) Give public notice of a public hearing in a:

(a) Newspaper in the county where the change is proposed, and

(b) Newspaper of general State circulation or the Maryland Register;

(2) Complete the public hearing and receive comments, if any, during a period of 30 days after the public hearing; and

(3) Place signs on designated ORV trails.

C. Selection Criteria.

(1) The Department shall locate ORV trails to minimize:

(a) Disturbance of wildlife or disruption of wildlife habitats;

(b) Damage to soil, watershed, vegetation, or other resources; and

(c) Conflicts between ORV use and other existing recreational uses on public lands.

(2) The Department may not locate ORV trails in:

(a) Designated wilderness areas under Natural Resources Article, §5-1203, Annotated Code of Maryland;

(b) Wildlife and fishery management areas;

(c) Natural environmental areas;

(d) Areas where the noise from the operation interferes with use of picnic or camping areas open to the public; or

(e) Areas possessing unique natural, wildlife, historic, or recreational values as determined by the Department.

(3) The Department shall locate ORV trails where the usage of trails will be compatible with existing conditions in populated areas, taking into account noise and other factors.

**.11 Designated Trails.**

A. The Department has designated the ORV trails listed in this regulation after public notice and comment.

B. Garrett State Forest in Garrett County.

(1) The trails listed in this regulation may only be used by the ORVs indicated.

(2) Piney Mountain Trail (Map Number 1).

(a) The Piney Mountain Trail beginning at the Sang Run-Cranesville Road and ending at the intersection of the Piney Mountain Road and the unnamed dirt road may only be used by:

(i) Snowmobiles from December 15 through March 15, except during deer firearms season; and

(ii) Two-wheel and four-wheel vehicles the remainder of the year and during the deer firearms season.

(b) The western half of the loop may be used by snowmobiles only, and may not be used by any motorized wheeled vehicle.

(3) Garrett Trail (Map Number 2).

(a) That portion of Garrett Trail beginning at Cranestown Road and running south along Snaggy Mountain Road/Hutton-Switch Road to the bridge at the head of Herrington Lake may be used only by:

(i) Snowmobiles from December 15 through March 15, except during deer firearm season; and

(ii) Two-wheel and four-wheel vehicles the remainder of the year and during the deer firearms season.

(b) That portion of Garrett Trail forming the eastern side of the northern loop beginning and ending at the points where the loop leaves the part of the trail running along Snaggy Mountain Road/Hutton-Switch Road, the southern portion of the trail beginning at the bridge at the head of Herrington Lake to the trail's end, and the trail connecting at midway the northern loop to the southern portion of the trail may only be used by snowmobiles and may not be used by any motorized wheeled vehicle.

C. Potomac State Forest in Garrett County.

(1) The trails described in this section may only be used by the ORVs indicated.

(2) Potomac River Trail (Map Number 3).

(a) The northern portion of Potomac River Trail beginning at the western boundary of the forest at Rileys Spring Branch and running eastward toward the Potomac River along Laurel Run to the intersection of an unnamed dirt road may be used only by:

(i) Snowmobiles from December 15 through March 15, except during the deer firearms season; and

(ii) Two-wheel and four-wheel vehicles during the remainder of the year and during the deer firearms season.

(b) The eastern portion of the Potomac River Trail beginning at the western boundary of the forest at Rileys Spring Branch and running southward along Audley Riley Road to the boundary of the forest near Wallman may be used only by:

(i) Snowmobiles from December 15 through March 15, except during the firearms season; and

(ii) Two-wheel and four-wheel vehicles during the remainder of the year and during the deer firearms season.

(c) The western portion of the Potomac River Trail beginning where it leaves the eastern portion of the trail near the intersection of Audley Riley Road and an unnamed dirt access road and running south on and along the access road to the point where the trail ends when it intersects with the southern portion of the trail described in §C(2)(d) of this regulation and the center trail connecting the western and eastern portions which follow the access road may:

(i) Be used only by snowmobiles from December 15 through March 15; and

(ii) Not be used by any ORVs for the remainder of the year.

(d) The southern portion of the Potomac River Trail beginning where it intersects with the western portion of the trail and running southward to its intersection with the eastern portion may be used only by snowmobiles, and may not be used by any motorized wheeled vehicle.

(3) Backbone Mountain Trail (Maps 4 and 5).

(a) That portion of Backbone Mountain Trail beginning near the intersection of Maryland Route 135 and Maryland Route 38 (Map Number 4) and running northeast to the Juvenile Justice Boy's Camp (Map Number 5) may only be used by snowmobiles, and may not be used by any wheeled vehicle.

(b) That portion of Backbone Mountain Trail beginning near the intersection of Swanton Hill Road and Maryland Route 135 (Map Number 5) and running northeast in two branches to the Juvenile Justice Boy's Camp and to the boundary line of the forest may be used only by:

(i) Snowmobiles from December 15 through March 15, except during deer firearms season; and

(ii) Two-wheel and four-wheel vehicles during the remainder of the year and during the deer firearms season.

D. Savage River State Forest in Garrett County.

(1) The trails described in this section may only be used by the ORVs indicated.

(2) Meadow Mountain Trail (Maps Number 8, 9, 10, and 11).

(a) The northern portion of Meadow Mountain Trail beginning at and running along East Shale Road (approximately 1/4 mile south of US Route 68) southward to the point where it intersects New Germany Road may only be used by:

(i) Snowmobiles from December 15 through March 15, except during the deer firearms season; and

(ii) Two-wheel and four-wheel vehicles during the remainder of the year and during the deer firearms season.

(b) The portion of Meadow Mountain Trail beginning on the southwest side of New Germany Road and running south to Frank Brenneman Road may only be used by snowmobiles, and may not be used by a motorized wheeled vehicle.

(c) The southern portion of Meadow Mountain Trail beginning at the intersection of the Thayerville fire tower road and the State park road and running in a northeasterly

direction and ending on Compartment 77 may be used by snowmobiles, and may not be used by a motorized wheeled vehicle.

(3) A snowmobile may be unloaded either at Deep Creek Lake State Park parking lots or the New Germany State Park/Savage River State Forest maintenance area parking lot if the snowmobile is driven directly to Meadow Mountain Trail on the designated access trails provided.

(4) Poplar Lick Trail (Map Number 12). The Poplar Lick Trail is as shown on Map Number 12 and may only be used by motorcycles and four-wheel vehicles and contains a stream that an ORV must ford.

(5) Margraff Plantation Trail (Map Number 6) may be used only by:

(a) A snowmobile from December 15 through March 15; and

(b) Two-wheel and four-wheel vehicles during the remainder of the year, except that from the end of spring turkey gobbler season to August 15, all public access is prohibited on certain trail sections.

(6) Negro Mountain Trail (Map Number 7) coincides with portions of the forest access roads through compartments and may be used only by snowmobiles from December 15 through March 15, and may not be used by any ORV for the remainder of the year, except as provided under Regulation .06A(3)(b) of this chapter.

E. Green Ridge State Forest in Allegany County. The trails listed in this section may only be used by motorcycles, snowmobiles, and four-wheel vehicles:

(1) East Valley Trail (Maps Number 13 and 14); and

(2) Town Hill Trail (Maps Number 13 and 14).

F. Pocomoke State Forest in Worcester County (Map Number 15).

(1) Chandler Trail may only be used by motorcycles and four-wheel vehicles.

(2) Chandler Trail is open year round with access off Route 113.

G. Deep Creek Lake Natural Resources Management Area.

(1) The frozen lake surface may be used only by snowmobiles.

(2) Access to the lake surface may occur only at:

(a) A designated parking area at Deep Creek Lake State Park; or

(b) If permission has been obtained from the permittee, a buffer strip use permit site.

(3) Snowmobile operators use the lake surface at their own risk. The Department makes no assurances regarding the safety of:

(a) Operating a snowmobile on Deep Creek Lake; or

(b) The ice conditions.

**.12 Official Maps.**

Map 1 - Garrett State Forest, Piney Mountain Trail, Garrett County, MD - see Map 1

Map 2 - Garrett State Forest, Garrett Trail, Garrett County, MD - see Map 2

Map 3 - Potomac State Forest, Potomac River Trail, Garrett County, MD - see Map 3

Maps 4, 5 - Potomac State Forest, Backbone Mountain Trail, Garrett County, MD - see Maps 4 and 5

Map 6 - Savage River State Forest, Margraff Plantation Trail, Garrett County, MD - see Map 6

Map 7 - Savage State Forest, Negro Mountain Trail, Garrett County, MD - see Map 7

Maps 8, 9, 10, 11 - Savage River State Forest, Meadow Mountain Trail, Garrett County, MD - see Maps 8, 9, 10, 11

Map 12 - Savage River State Forest, Poplar Lick Trail, Garrett County, MD - see Map 12

Maps 13, 14 - Green Ridge State Forest, East Valley and Town Hill Trails, Allegany County, MD - see Maps 13, 14

Map 15 - Pocomoke State Forest, Chandler Trail, Worcester County, MD - see Map 15

## **MARYLAND REGULATIONS**

### **Annotated Code of Maryland Natural Resources Article**

#### **Title 5. Forests and Parks**

##### **§ 5-209.**

(a) The Department may make rules and regulations for the maintenance of order, safety, sanitation, traffic control, or for the protection of trees and other property and the preservation of the natural beauty within the State parks and forests, State reserves,

scenic preserves, parkways, historical monuments, recreational areas, and any other lands under its control. The rules and regulations shall be posted in conspicuous places upon the lands and enforced by the forest and park officers.

(b) The Secretary shall promulgate rules and regulations regarding equipment standards and the operation of off-road vehicles by type, as defined in § 10-410(d) of this article, on property owned or controlled by the Department. The Secretary shall conduct appropriate studies and, by January 1, 1975, designate and identify areas for use by the general public for operation of motorcycles, snowmobiles and other off-road vehicles on that property exclusive of wildlife management areas or State fisheries management areas to the extent such use is compatible with the character and established uses of property controlled by the Department. Prior to March 31, 1976, every off-road vehicle to be used on Department lands shall be registered and provided suitable identification by the Department, which shall charge an annual uniform fee for all registrants, revenues derived from which shall be used to acquire and maintain areas for off-road vehicle use by the general public. Any investment earnings derived from the revenues shall be credited to the General Fund of the State. Revenues from the fee are not subject to § 7-302 of the State Finance and Procurement Article. Revenues may be used for administrative costs calculated in accordance with § 1-103(b)(2) of this article. Any property to be acquired or designated for off-road vehicle use shall be subject to a public hearing held in the county or counties wherein the property is situated. However, no off-road vehicle may be permitted where its operation will damage the wildland character of the property or where the noise from its operation will be audible at or interfere with the use of a picnic or camping area open to public use.

(c) The Department shall, with the endorsement of the Secretary of Natural Resources and the Secretary of Health and Mental Hygiene, after a public hearing following 60 days notice, adopt and publish maximum sound level limits under specified measurement conditions governing the operation of motor-driven off-highway vehicles in State parks and forests and other lands under its control not later than January 1, 1976. Such limits shall be established at the most restrictive level consistent with the attainment of the environmental noise standards adopted by the Department of Health and Mental Hygiene which is achievable through the application of the best available technology and at a reasonable cost. The Department shall adopt and enforce regulations for the administration and enforcement of this section, taking into account accepted scientific and professional methods for measurement of sound levels.

(d) (1) No person may sell, offer for sale, distribute, or lease any new motor-driven off-highway recreational vehicle that is of a type not subject to registration under the Maryland Vehicle Law and that has a maximum sound level potential exceeding the sound level limits established by the Department for the maximum allowable noise emissions from such vehicles.

(2) The Department shall, after consultation with the Department of Transportation, and with the endorsement of the Secretary of Natural Resources and Secretary of Health and Mental Hygiene, after a public hearing following 60 days notice, adopt and publish maximum sound level limits for the various classes of such vehicles not later than January 1, 1976. Such limits shall be established at the most restrictive level consistent with the environmental noise standards adopted by the Department of Health and Mental Hygiene which is achievable through the application of the best available technology and at a reasonable cost.

(3) The Department shall establish test procedures to establish compliance with the limits adopted, taking into consideration accepted scientific and professional standards for the measurement of sound. Such test procedures shall be in substantial conformity with test procedures contained in applicable standards and recommended practices established by the Society of Automotive Engineers, Inc., or its successor bodies, or the American National Standards Institute or its successor bodies, for the measurement of sound levels.

(4) The manufacturer, distributor, importer, or designated agent shall file a written certificate under oath with the Department that the makes and models described thereon comply with the requirements established pursuant to this section. Such certificates shall be filed for each make and model sold in this State.

(e) The Department shall adopt regulations that prescribe the type and color of paint to be used for posting private property under § 6-402 of the Criminal Law Article.

## **Annotated Code of Maryland Criminal Law Article**

### **Title 6. Crimes Against Property**

#### **Subtitle 4.**

#### **§ 6-401.**

(a) In this subtitle the following words have the meanings indicated.

(b) (1) "Off-road vehicle" means a motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

(2) "Off-road vehicle" includes:



- (i) a four-wheel drive or low-pressure-tire vehicle;
  - (ii) a motorcycle or a related two-wheel vehicle;
  - (iii) an amphibious machine;
  - (iv) a ground-effect vehicle; and
  - (v) an air-cushion vehicle.
- (c) "Vehicle" has the meaning stated in § 11-176 of the Transportation Article.
- (d) "Wanton" retains its judicially determined meaning.

**§ 6-404.**

- (a) This section does not apply to:
- (1) a vessel;
  - (2) a military, fire, or law enforcement vehicle;
  - (3) a farm-type tractor, other agricultural equipment used for agricultural purposes, or construction equipment used for agricultural purposes or earth moving;
  - (4) earth-moving or construction equipment used for those purposes; or
  - (5) a lawn mower, snowblower, garden or lawn tractor, or golf cart while being used for its designed purpose.
- (b) Except when traveling on a clearly designated private driveway, a person may not use a vehicle or off-road vehicle on private property unless the person has in the person's possession the written permission of the owner or tenant of the private property.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

**§ 6-405.**

(a) In this section, "political subdivision" includes a:

- (1) county;
- (2) municipal corporation;
- (3) bicounty or multicounty agency;
- (4) county board of education;
- (5) public authority; or
- (6) special taxing district.

(b) This section does not apply to:

- (1) a vessel;
- (2) a military, fire, or law enforcement vehicle;
- (3) a farm-type tractor, other agricultural equipment used for agricultural purposes, or construction equipment used for agricultural purposes or earth moving;
- (4) earth-moving or construction equipment used for those purposes; or
- (5) a lawn mower, snowblower, garden or lawn tractor, or golf cart while being used for its designed purpose.

(c) Except as otherwise allowed by law, a person may not use an off-road vehicle on property known by the person to be owned or leased by the State or a political subdivision.

(d) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.