

County Regulates Off-Road Vehicles

Rules Address Safety, Noise Concerns

By ARUNA JAIN
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The Montgomery County Council passed legislation last week to regulate the use of off-road vehicles — from children's minibikes to all-terrain vehicles — in response to growing complaints about noise and reckless driving on county roads and private property.

Under state law, driving an off-road vehicle on a public roadway is punishable by up to a \$500 fine, and driving one without permission on private property, considered trespassing, can result in jail time.

Police have had a hard time enforcing the state laws because they are so harsh, said Montgomery County police Capt. Thomas Didone.

"The laws on the books aren't specifically geared toward these vehicles," Didone said. "If you take an [unregistered] car and

drive it down the road, it should be a \$500 fine, but if a kid drives a Pocket Rocket, where is he going to get \$500? So this bill helped fill a gap," he said.

After the new law goes into effect in October, police will be able to issue a \$50 fine or confiscate the vehicle, Didone said.

The measure defines off-road vehicles as those that are not subject to Maryland registration requirements, that have a saddle or seat, that have two or more wheels in contact with the ground and that are designed for use off public roads. The definition is fashioned to include off-road motorcycles, all-terrain vehicles, dirt bikes, miniature racing motorcycles — also known as pocket bikes or by the brand name Pocket Rocket — and other machines that do not have to be registered or have their riders licensed by the state.

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Off-Road Vehicle Rules Target Unsafe Riding

Under the new law, owners can operate the vehicles on their own properties but must abide by regulations that limit the use of all off-road vehicles to between 7 a.m. and 8 p.m.; require that riders wear helmets and protective eyewear; and mandate adult supervision for riders 16 and younger.

The lead sponsor of the measure, County Council Vice President Marilyn Praisner (D-Eastern County), first proposed legislation two years ago.

"I began to get complaints about young people using a variety of off-road vehicles inappropriately, riding on the streets, through yards, on sidewalks on scooters," Praisner said.

"Not only is there the damage to personal property, there is also the safety issue for the occupants of the vehicle [and] other children in the neighborhood."

The law exempts devices used by disabled people, golf carts, farm vehicles and lawnmowers.

Didone said he has seen a profusion of mass-produced motorized skateboards, scooters, pocket bikes and all-terrain vehicles hit county neighborhoods over the years. Suburban development has left little land and few trails that people can use when riding these vehicles, he said, so they turn to roads and private property.

"For years there have been go-karts and minibikes, so it's not necessarily a new issue," Didone said. But the increasing number of vehicles has caused traffic problems and a "tremendous amount of injuries."

Residents complain about riders who drag-race, ruin grass on athletic fields by doing figure eights and "doughnuts" with their vehicles, weave dangerously around parked cars and run stop signs.

County police and the Office of Consumer Protection plan to launch a public education campaign and will help retailers distribute information to consumers, Didone said.

A database will keep track of violations, he said.

Devin L. Battley, who owns a motorcycle dealership in Gaithersburg, has opposed the law from the outset. Battley said he objects primarily to the provision that allows police to come onto private property and the provision that calls for retailers to provide legal information to consumers.

Despite the county's plan to help retailers, "they are asking the retailers to do the work," Battley said. He also worries that the law could affect sales.

But Didone praises the measure.

"It's just a very good law to help us curtail the violations," he said.