

lawn tractor "while being used for its designed purpose" is added for clarity.

In subsection (b) of this section, the reference to the defined term "vehicle" is added to reflect the correction of usage of the former defined term "off-road vehicle", which included on-road as well as off-road vehicles.

Also in subsection (b) of this section, the former reference to "operat[ing]" an off-road vehicle is deleted as included in the reference to "us[ing]" a vehicle or off-road vehicle.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that it is not clear whether subsection (b) of this section is intended to allow the use of either a "vehicle" or an "off-road vehicle" on a clearly designated private driveway, without the permission of the property owner or tenant. The General Assembly may wish to address this issue in clarifying legislation.

Defined terms: "Off-road vehicle" § 6-401

"Person" § 1-101

"Vehicle" § 6-401

6-405. USE OF AN OFF-ROAD VEHICLE ON PUBLIC PROPERTY.

(A) "POLITICAL SUBDIVISION" DEFINED.

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) SCOPE OF SECTION.

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