

Expedited Bill No. 30-16  
Concerning: Streets and Roads –  
Amendments  
Revised: 6/6/2016 Draft No. 1  
Introduced: July 12, 2016  
Enacted: August 2, 2016  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Council President at the request of the County Executive

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**AN EXPEDITED ACT** to:

- (1) clarify that a person may not exercise control over, or otherwise occupy, the public right-of-way;
- (2) define certain terms in Chapter 49; and
- (3) generally amend County law regarding rights-of-way and streets and roads.

By amending

Montgomery County Code  
Chapter 49, Streets and Roads  
Sections 49-10 and 49-26

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*



27 **49-26. Definitions.**28 *Bikeway*: any area expressly intended for bicycle travel, including any:29 (a) *Shared use path*: A paved path that abuts, is contiguous with, and is a  
30 part of the right-of-way for a County road or street, that is typically 10  
31 feet wide, but can vary between 8 feet and 14 feet wide, designated for  
32 bicycles and pedestrians, and that is separated from motorized traffic  
33 by a curb, barrier, or landscape panel.34 (b) *Shared use trail*: A paved or unpaved trail designated for bicycles and  
35 pedestrians, that is not part of the right-of-way for a County road or  
36 street because the trail does not abut and lie contiguous with the right  
37 of way for a County road or street.38 [(b)] (c) *Bike lane*: A portion of a roadway designated by striping, signing, or  
39 pavement markings for the preferential or exclusive use of bicycles, and  
40 on which through-travel by motor vehicles is not allowed.41 [(c)] (d) *Shared use roadway*: A roadway open to both bicycle and motor  
42 vehicle travel and which is designated as a preferred route for bicycle  
43 use by warning or informational signs.44 [(d)] (e) *Separated bike lane*, also known as a protected bike lane or cycle  
45 track: a bikeway that is physically separated from motor vehicles and  
46 pedestrian facilities. The separation may be vertical, such as a curb;  
47 horizontal, such as a landscape panel or parking lane; or a  
48 combination. A separated bike lane may be in a one-way or two-way  
49 configuration.50 [(e)] (f) *Buffered bike lane*: a bikeway separated from a motor vehicle travel  
51 lane with an area of striped pavement.

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\* \* \*

53 *Road*: any road, street, highway, avenue, lane, alley, [or viaduct, or any segment  
54 of any of them.] bridge, shared use path, sidewalk, viaduct, or any segment of any of  
55 them, and any related storm drain and stormwater management facility.

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57 *Sidewalk*: any portion of the right-of-way for a County road or street that is  
58 expressly intended as a pedestrian walkway [that fronts a road].

59 \* \* \*

60 **Sec. 2. Expedited Effective Date.**

61 The Council declares that this legislation is necessary for the immediate  
62 protection of the public interest. This Act takes effect on the date on which it becomes  
63 law.

64 *Approved:*

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66 



\_\_\_\_\_  
Nancy Floreen, President, County Council

\_\_\_\_\_  
Date

67 *Approved:*

68  
\_\_\_\_\_  
Isiah Leggett, County Executive

\_\_\_\_\_  
Date

69 *This is a correct copy of Council action.*

70  
\_\_\_\_\_  
Linda M. Lauer, Clerk of the Council

\_\_\_\_\_  
Date