

HOUSE BILL 1274

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2000 Regular Session
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By: ~~Delegates Wood and Malone~~, Malone, Benson, Bobo, Clagett, DeCarlo, Dobson, Dypski, Glassman, McIntosh, Paige, Parrott, Riley, Shank, Snodgrass, Sophocleus, and Swain

Introduced and read first time: February 17, 2000

Assigned to: Rules and Executive Nominations

Re-referred to: Commerce and Government Matters, February 28, 2000

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2000

CHAPTER 14

1 AN ACT concerning

2 **Motor Vehicle Administration - Drivers' Licenses and Identification Cards**

3 FOR the purpose of modifying provisions under the Maryland Vehicle Law relating to
4 the inclusion of photographs on drivers' licenses and identification cards;
5 eliminating a requirement that an applicant for renewal of a driver's license
6 appear in person for each renewal; limiting the number of consecutive license
7 renewals without an individual appearing in person at an office of the Motor
8 Vehicle Administration (MVA); modifying a requirement pertaining to surrender
9 of drivers' licenses; modifying the time period during which the ~~Motor Vehicle~~
10 ~~Administration (MVA)~~ MVA may renew an expired driver's license without
11 requiring a driving test; modifying a provision concerning renewal of drivers'
12 licenses held by individuals who are absent from the State; making stylistic and
13 technical changes and deleting an obsolete provision; and generally relating to
14 the issuance and renewal of drivers' licenses and identification cards by the
15 MVA under provisions of the Maryland Vehicle Law.

16 BY repealing and reenacting, without amendments,
17 Article - Transportation
18 Section 12-301(a)
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 1999 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - Transportation

1 Section 12-301(g), 16-111.1(d) and (f), and 16-115
2 Annotated Code of Maryland
3 (1999 Replacement Volume and 1999 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article - Transportation**

7 12-301.

8 (a) On application, the Administration shall issue an identification card to any
9 individual who:

- 10 (1) Is a resident of this State;
- 11 (2) Does not have a driver's license;
- 12 (3) Presents a birth certificate or other proof of age and identity
13 acceptable to the Administration; and
- 14 (4) Presents a completed application for an identification card on a form
15 furnished by the Administration.

16 (g) (1) An identification card shall be:

17 (i) Of the size and design that the Administration requires; and

18 (ii) Tamperproof, to the extent possible.

19 (2) The card shall contain:

20 (i) The name and address of the applicant;

21 (ii) The birth date of the applicant;

22 (iii) The sex of the applicant;

23 (iv) A description of the applicant;

24 (v) A color photograph of the applicant taken by the procedure that
25 the Administration requires[. Photographs issued to applicants under 21 years of age
26 will be taken with the profile view. A fee, as established by the Administration, is
27 required for the conversion to a regular full face photo identification card after the
28 age of 21];

29 (vi) The expiration date of the identification card;

30 (vii) The signature of the applicant; and

31 (viii) The signature and seal of the issuing agent.

1 16-111.1.

2 (d) (1) [Each] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH
3 noncommercial Class A, B, C, or M license issued by the Administration[:

4 (1) Shall] SHALL be of the size, design, and content that the
5 Administration specifies[;].

6 (2) [Shall] A NONCOMMERCIAL CLASS A, B, C, OR M LICENSE SHALL
7 include:

8 (i) The name and residence address of the licensee;

9 (ii) The date of birth of the licensee;

10 (iii) A description of the licensee, which shall include the height,
11 weight, and sex of the licensee;

12 (iv) A COLOR PHOTOGRAPH OF THE APPLICANT THAT IS TAKEN IN
13 ACCORDANCE WITH A PROCEDURE THAT THE ADMINISTRATION REQUIRES;

14 (V) The type or class of vehicles that the license authorizes the
15 licensee to drive;

16 [(v)] (VI) The signature and seal of the issuing agent; and

17 [(vi)] (VII) A space for the signature of the licensee[; and

18 (3) Shall include:

19 (i) If the licensee is under the age of 21 years, a profile photograph
20 of the licensee; or

21 (ii) If the licensee is at least 21 years old, a frontal photograph of
22 the licensee].

23 (f) (1) Only one current driver's license may be issued by the
24 Administration to and held by any individual at any one time.

25 (2) Before issuing a license, the Administration shall require the
26 applicant to surrender any [other] license issued to the applicant by any OTHER
27 jurisdiction.

28 16-115.

29 (a) (1) A license issued under this title to a driver at least 21 years old shall
30 expire on the birth date of the licensee in the fifth year following the issuance of the
31 license.

32 (2) A license issued under this title to a driver under the age of 21 years
33 shall expire 60 days after the driver's 21st birthday.

1 (3) A license is renewable on the presentation [in person] of an
2 application, the payment of the renewal fee required by § 16-111.1 of this subtitle,
3 and satisfactory completion of the examination required or authorized by subsection
4 (h) of this section:

5 (i) Within 6 months before its expiration; or

6 (ii) When a driver qualifies for a corrected license issued under §
7 16-114.1(c) of this subtitle.

8 (4) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, THE
9 ADMINISTRATION MAY NOT RENEW AN INDIVIDUAL'S LICENSE FOR MORE THAN ONE
10 CONSECUTIVE TERM WITHOUT REQUIRING THE INDIVIDUAL TO APPEAR IN PERSON
11 AT AN OFFICE OF THE ADMINISTRATION.

12 (b) At least 60 days before a license expires, the Administration shall mail to
13 each licensee, at the last address of the licensee shown in the records of the
14 Administration, notice of the date on which the license will expire.

15 (c) The Administration may renew a license within [6 months] 1 YEAR after
16 the expiration date without requiring a driving test.

17 (d) (1) A license held by a member of the armed forces of the United States
18 who is absent from this State on active service in the armed forces of the United
19 States, or a dependent of the member who is residing with the member outside the
20 State, shall remain in full force and effect during such absence.

21 (2) The license also shall remain in effect, if it would otherwise have
22 expired under this section, for a period of 30 days following the date of the licensee's
23 return to this State, or the member's discharge or separation from active service:

24 (i) If the licensee has in the licensee's immediate possession,
25 together with the licensee's driver's license, papers indicating the member's active
26 service outside this State or the member's discharge or separation; and

27 (ii) If the license is not otherwise suspended, revoked, or canceled
28 under this title during the 30-day period.

29 (e) If a licensee is absent from this State for cause, other than as provided in
30 subsection (d) OF THIS SECTION, and is unable to renew his license in the manner
31 required by this section, the licensee may renew by mail to the Administration. The
32 renewal application shall be accompanied by the prescribed fee and a statement
33 giving the reason for and the expected length of the absence. On receipt of the
34 application, the [Administrator shall] ADMINISTRATION MAY issue a regular license
35 [and if the renewed license is one that requires] WHICH BEARS a photo [it shall, in
36 place of the photo, bear the] OR A notation that it is valid without a photo until 15
37 days after the licensee first returns to this State.

38 (f) An individual may not drive a motor vehicle on any highway in this State
39 if the license issued to him under this title has expired.

1 (g) An individual may not attempt to drive a motor vehicle on any highway in
2 this State if the license issued to the individual under this title has expired.

3 (h) (1) Except as provided in paragraph (2) of this subsection, the
4 Administration shall require every individual applying for renewal of a driver's
5 license to pass a vision test as prescribed by the [Administrator] ADMINISTRATION.

6 (2) (i) The [Administrator] ADMINISTRATION shall accept a
7 certification of acceptable visual acuity from a licensed physician or optometrist
8 instead of requiring the actual test provided for in this subsection.

9 (ii) The examination for which certification is made shall take place
10 within 12 months of the date of application for renewal.

11 (3) (i) If the Administration has reason to believe that an individual is
12 a safety hazard by reason of a vision deficiency, the Administration may require the
13 vision test provided for in this subsection at a time other than renewal of a driver's
14 license.

15 (ii) The Administration may adopt [rules and] regulations to
16 implement the provisions of this subsection.

17 (i) [Until September 1, 1993, a driver's license issued before July 1, 1988 to a
18 driver under the age of 21 years that expires before the driver's 21st birthday may be
19 renewed, on payment of a fee established by the Administration, for a period not to
20 exceed 60 days after the licensee's 21st birthday.

21 (j)] Before the expiration of a driver's license, if the Administration has reason
22 to believe that an individual is not a safety hazard, but the individual is unable to
23 pass a required knowledge test or vision test, the Administration may extend the
24 individual's privilege to drive for a period not to exceed 90 days.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2000.