

# SENATE BILL 847

R4

71r2606

---

By: **Senators Hooper, Colburn, Gladden, Harris, Jacobs, and Raskin**  
Introduced and read first time: February 19, 2007  
Assigned to: Rules

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Driver’s License Renewals – Inmates**

3 FOR the purpose of providing that a license held by an inmate in a correctional facility  
4 remains in full force and effect during the inmate’s term of confinement;  
5 providing that the license of a former inmate remains in effect for a certain  
6 period of time after the inmate’s release from confinement under certain  
7 circumstances; and generally relating to driver’s license renewals.

8 BY repealing and reenacting, without amendments,  
9 Article – Correctional Services  
10 Section 1–101(d) and (i)  
11 Annotated Code of Maryland  
12 (1999 Volume and 2006 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Transportation  
15 Section 16–115  
16 Annotated Code of Maryland  
17 (2006 Replacement Volume and 2006 Supplement)

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

20 **Article – Correctional Services**

21 1–101.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) "Correctional facility" means a facility that is operated for the purpose of  
2 detaining or confining adults who are charged with or found guilty of a crime.

3 (i) "Inmate" means an individual who is actually or constructively detained  
4 or confined in a correctional facility.

### 5 Article - Transportation

6 16-115.

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

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

12 (3) A license is renewable on the presentation of an application, the  
13 payment of the renewal fee required by § 16-111.1 of this subtitle, and satisfactory  
14 completion of the examination required or authorized by subsection (h) of this section:

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

16 (ii) When a driver qualifies for a corrected license issued under §  
17 16-114.1(c) of this subtitle.

18 (4) Except as provided in subsection [(e)] (F) of this section, the  
19 Administration may not renew an individual's license for more than one consecutive  
20 term without requiring the individual to appear in person at an office of the  
21 Administration.

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

25 (c) The Administration may renew a license within 1 year after the  
26 expiration date without requiring a driving test.

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

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

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

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

9           (e) **(1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**  
10 **THE MEANINGS INDICATED.**

11                   **(II) "CORRECTIONAL FACILITY" HAS THE MEANING STATED**  
12 **IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE.**

13                   **(III) "INMATE" HAS THE MEANING STATED IN § 1-101 OF THE**  
14 **CORRECTIONAL SERVICES ARTICLE.**

15           **(2) A LICENSE HELD BY AN INMATE CONFINED AT A**  
16 **CORRECTIONAL FACILITY SHALL REMAIN IN FULL FORCE AND EFFECT DURING**  
17 **THE INMATE'S TERM OF CONFINEMENT.**

18           **(3) THE LICENSE ALSO SHALL REMAIN IN EFFECT, IF IT WOULD**  
19 **OTHERWISE HAVE EXPIRED UNDER THIS SECTION, FOR A PERIOD OF 30 DAYS**  
20 **FOLLOWING THE DATE OF THE LICENSEE'S RELEASE FROM CONFINEMENT IN A**  
21 **CORRECTIONAL FACILITY IF:**

22                   **(I) THE LICENSEE HAS IN THE LICENSEE'S IMMEDIATE**  
23 **POSSESSION, TOGETHER WITH THE LICENSEE'S DRIVER'S LICENSE, PAPERS**  
24 **INDICATING THE DATES OF THE LICENSEE'S TERM OF CONFINEMENT IN A**  
25 **CORRECTIONAL FACILITY; AND**

26                   **(II) THE LICENSE IS NOT OTHERWISE SUSPENDED,**  
27 **REVOKED, OR CANCELED UNDER THIS TITLE DURING THE 30-DAY PERIOD.**

28           **(F) If a licensee is absent from this State for cause, other than as provided in**  
29 **subsection (d) of this section, and is unable to renew his license in the manner**

1 required by this section, the licensee may renew by mail to the Administration. The  
2 renewal application shall be accompanied by the prescribed fee and a statement giving  
3 the reason for and the expected length of the absence. On receipt of the application,  
4 the Administration may issue a regular license which bears a photo or a notation that  
5 it is valid without a photo until 15 days after the licensee first returns to this State.

6       **[(f)] (G)**       An individual may not drive a motor vehicle on any highway in  
7 this State if the license issued to him under this title has expired.

8       **[(g)] (H)**       An individual may not attempt to drive a motor vehicle on any  
9 highway in this State if the license issued to the individual under this title has  
10 expired.

11       **[(h)] (I)**       (1)   Except as provided in paragraphs (2) and (3) of this  
12 subsection, the Administration shall require every individual applying for renewal of a  
13 driver's license to pass a vision test as prescribed by the Administration.

14                       (2)   (i)   The Administration shall accept a certification of acceptable  
15 visual acuity from a licensed physician or optometrist instead of requiring the actual  
16 test provided for in this subsection.

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

19                       (3)   An individual at least 21 years of age but under the age of 40 years  
20 may apply for renewal of a driver's license electronically or by mail or other means  
21 authorized by the Administration without taking a vision test if the applicant has  
22 passed a vision test authorized by the Administration within the previous 6 years.

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

27                       (ii)   The Administration may adopt regulations to implement the  
28 provisions of this subsection.

29       **[(i)] (J)**       Before the expiration of a driver's license, if the Administration has  
30 reason to believe that an individual is not a safety hazard, but the individual is unable  
31 to pass a required knowledge test or vision test, the Administration may extend the  
32 individual's privilege to drive for a period not to exceed 90 days.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2007.