

HB0387/493824/1

BY: Delegate George

AMENDMENTS TO HOUSE BILL 387, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 2 of the House Judiciary Committee Amendments (HB0387/552214/1), in Amendment No. 3, strike beginning with “requiring” in line 7 down through “purposes” in line 14; and strike beginning with “requiring” in line 14 down through “plan;” in line 10.

On page 3 of the House Judiciary Committee Amendments, in lines 8 and 9 of Amendment No. 3, strike “through 16-124,”.

AMENDMENT NO. 2

On page 7 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 6, strike “(I)”; and strike beginning with “BY” in line 2 down through “SECURITY” in line 15.

AMENDMENT NO. 3

On page 9 of the House Judiciary Committee Amendments, in lines 4 and 5 of Amendment No. 10, strike “:”

(I) SATISFACTORY” and substitute “SATISFACTORY”;

and strike beginning with “BY” in line 6 down through “SECURITY” in line 18.

AMENDMENT NO. 4

On page 10 of the House Judiciary Committee Amendments, in line 7 of Amendment No. 11, strike “(I)”.

(Over)

On pages 10 and 11 of the House Judiciary Committee Amendments, in Amendment No. 11, strike beginning with “**BY**” in line 8 on page 10 through “**SECURITY**” in line 4 on page 11.

AMENDMENT NO. 5

On page 12 of the House Judiciary Committee Amendments, in lines 9 and 10 of Amendment No. 13, strike “:

(I) SATISFACTORY” and substitute “SATISFACTORY”.

On pages 12 and 13 of the House Judiciary Committee Amendments, in Amendment No. 13, strike beginning with “**BY**” in line 11 on page 12 down through “**SECURITY**” in line 3 on page 13.

AMENDMENT NO. 6

On pages 13 through 25 of the House Judiciary Committee Amendments, strike Amendment No. 14 in its entirety.

AMENDMENT NO. 7

On page 6 of the bill, in line 17, after “expire” insert “NOT LATER THAN”; and strike in their entirety lines 19 through 35, inclusive, and substitute:

“(5) (I) IF AN APPLICANT HAS TEMPORARY LAWFUL STATUS, THE ADMINISTRATION MAY NOT ISSUE TO THE APPLICANT A LICENSE TO DRIVE FOR A PERIOD THAT EXTENDS BEYOND THE EXPIRATION DATE OF THE APPLICANT’S AUTHORIZED STAY IN THE UNITED STATES OR, IF THERE IS NO EXPIRATION DATE, FOR A PERIOD LONGER THAN 1 YEAR.

“(II) NOTHING CONTAINED IN THIS PARAGRAPH MAY BE CONSTRUED TO ALLOW THE ISSUANCE OF A TEMPORARY LICENSE TO DRIVE FOR A PERIOD LONGER THAN THE PERIOD DESCRIBED IN THIS SUBSECTION.

(III) THE ADMINISTRATION SHALL INDICATE ON THE FACE AND IN THE MACHINE-READABLE ZONE OF A TEMPORARY LICENSE TO DRIVE THAT THE LICENSE IS A TEMPORARY LICENSE TO DRIVE.

(6) A HOLDER OF A TEMPORARY LICENSE TO DRIVE WHO HAD TEMPORARY LAWFUL STATUS AT THE TIME OF THE ISSUANCE OF THE TEMPORARY LICENSE TO DRIVE SHALL PRESENT SATISFACTORY DOCUMENTARY EVIDENCE OF LAWFUL STATUS IF THE HOLDER APPLIES FOR ISSUANCE OR RENEWAL OF ANY LICENSE TO DRIVE UNDER THIS SUBTITLE.

16-121.

(A) THE ADMINISTRATION SHALL REQUIRE EACH FEE FOR ISSUANCE OR RENEWAL OF AN ORIGINAL OR DUPLICATE IDENTIFICATION CARD, MOPED OPERATOR'S PERMIT, OR LICENSE TO DRIVE UNDER THIS ARTICLE TO BE PAID BY THE APPLICANT AT THE TIME OF APPLICATION.

(B) AN APPLICATION FEE UNDER THIS SECTION IS NONREFUNDABLE, REGARDLESS WHETHER THE ADMINISTRATION ISSUES OR RENEWS, REFUSES TO ISSUE OR RENEW, CANCELS, OR REQUIRES TO BE SURRENDERED AN IDENTIFICATION CARD, A MOPED OPERATOR'S PERMIT, OR A LICENSE TO DRIVE UNDER THIS ARTICLE.

16-301.

(a) A person may not knowingly or fraudulently obtain or attempt to obtain a [driver's] license TO DRIVE OR A MOPED OPERATOR'S PERMIT by misrepresentation.

(Over)

(b) A person may not in any application for a [driver's] license TO DRIVE OR A MOPED OPERATOR'S PERMIT:

- (1) Use a false or fictitious name;
- (2) Knowingly make a false statement;
- (3) Knowingly conceal a material fact;
- (4) Use a false, fictitious, or fraudulently altered document; or
- (5) Otherwise commit a fraud.

27-101.

(c) Any person who is convicted of a violation of any of the provisions of the following sections of this article is subject to a fine of not more than \$500 or imprisonment for not more than 2 months or both:

(1) § 12-301[(c), (d), (e),] (E) or (f) ("Special identification cards: [Fraud and misrepresentation] UNLAWFUL USE OF IDENTIFICATION CARD prohibited");

(12) § 16-301, EXCEPT § 16-301(A) OR (B) ("Unlawful [application for or] use of license");

(CC) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 12-301(C) OR (D) OF THIS ARTICLE ("FRAUD OR MISREPRESENTATION IN OBTAINING OR APPLICATION FOR AN IDENTIFICATION CARD") OR § 16-301(A) OR (B) OF THIS ARTICLE ("FRAUD OR MISREPRESENTATION IN OBTAINING OR APPLICATION

FOR A LICENSE”) IS SUBJECT TO A FINE OF NOT MORE THAN \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR BOTH.

SECTION 3. AND BE IT FURTHER ENACTED, That the Motor Vehicle Administration shall adopt regulations to implement this Act, including regulations to implement the provisions of this Act concerning a non-match, as described in this Act, of documentation provided by an applicant to the Administration.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.