

HOUSE BILL 394

R4
HB 205/17 – ENV

8lr2422
CF SB 424

By: **Delegate Dumais**

Introduced and read first time: January 24, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 6, 2018

CHAPTER _____

1 AN ACT concerning

2 **Driver's Licenses – Learner's Permits – Minimum Duration**

3 FOR the purpose of reducing the period of time that certain individuals who are at least a
4 certain age and who hold a learner's instructional permit are required to wait before
5 taking certain examinations for a provisional driver's license; making a stylistic
6 change; and generally relating to requirements for obtaining a provisional driver's
7 license.

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 16–105(d) and 16–111(b)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2017 Supplement)

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

15 **Article – Transportation**

16 16–105.

17 (d) (1) This subsection applies to an individual who:

18 (i) Seeks to obtain an original driver's license under this subtitle;

19 and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (ii) Does not qualify for a learner's instructional permit under
2 subsection (e) of this section.

3 (2) [An] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
4 **SUBSECTION, AN** individual under the age of [25] **19** years who holds a learner's
5 instructional permit may not take a driver skills examination or driver road examination
6 for a provisional license:

7 (i) Sooner than 9 months following the later of:

8 1. The date that the individual first obtains the learner's
9 instructional permit; or

10 2. The **MOST RECENT** date the individual was convicted of,
11 or granted probation before judgment under § 6–220 of the Criminal Procedure Article for,
12 a moving violation;

13 (ii) Until after successful completion of:

14 1. The driver education program approved under Subtitle 5
15 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of
16 highway driving instruction; and

17 2. At least 60 hours, 10 hours of which must occur during the
18 period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of
19 behind-the-wheel driving practice supervised by an individual who:

20 A. Holds a valid driver's license;

21 B. Is at least 21 years old; and

22 C. Has been licensed to drive for at least 3 years; and

23 (iii) Unless the individual submits, in accordance with the
24 Administration's regulations, a completed skills log book signed by:

25 1. Each supervising driver who certifies that the individual
26 has satisfactorily demonstrated a required skill and has completed the driving practice
27 requirements of item (ii)2 of this paragraph; and

28 2. If a signature of a parent, guardian, or other person is
29 required under § 16–107 of this subtitle, the parent, guardian, or other person who signs
30 the individual's application under that section.

31 **(3) AN INDIVIDUAL WHO HOLDS A LEARNER'S INSTRUCTIONAL**
32 **PERMIT AND WHO IS 18 YEARS OLD AND HAS A HIGH SCHOOL DIPLOMA OR ITS**

1 EQUIVALENT OR IS AT LEAST 19 YEARS OLD BUT UNDER THE AGE OF 25 YEARS MAY
2 NOT TAKE A DRIVER SKILLS EXAMINATION OR DRIVER ROAD EXAMINATION FOR A
3 PROVISIONAL LICENSE:

4 (I) SOONER THAN THE LATER OF:

5 1. 3 MONTHS FOLLOWING THE DATE THAT THE
6 INDIVIDUAL FIRST OBTAINS THE LEARNER'S INSTRUCTIONAL PERMIT; OR

7 2. 9 MONTHS FOLLOWING THE MOST RECENT DATE THE
8 INDIVIDUAL WAS CONVICTED OF, OR GRANTED PROBATION BEFORE JUDGMENT
9 FOR, A MOVING VIOLATION;

10 (II) UNTIL AFTER SUCCESSFUL COMPLETION OF:

11 1. A STANDARD DRIVER EDUCATION PROGRAM
12 APPROVED UNDER SUBTITLE 5 OF THIS TITLE, CONSISTING OF AT LEAST 30 HOURS
13 OF CLASSROOM INSTRUCTION AND AT LEAST 6 HOURS OF HIGHWAY DRIVING
14 INSTRUCTION; AND

15 2. AT LEAST 60 HOURS, 10 HOURS OF WHICH MUST
16 OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND ENDING
17 30 MINUTES AFTER SUNRISE, OF BEHIND-THE-WHEEL DRIVING PRACTICE
18 SUPERVISED BY AN INDIVIDUAL WHO:

19 A. HOLDS A VALID DRIVER'S LICENSE;

20 B. IS AT LEAST 21 YEARS OLD; AND

21 C. HAS BEEN LICENSED TO DRIVE FOR AT LEAST 3
22 YEARS; AND

23 (III) UNLESS THE INDIVIDUAL SUBMITS, IN ACCORDANCE WITH
24 THE ADMINISTRATION'S REGULATIONS, A COMPLETED SKILLS LOG BOOK SIGNED BY
25 EACH SUPERVISING DRIVER WHO CERTIFIES THAT THE INDIVIDUAL HAS
26 SATISFACTORILY DEMONSTRATED A REQUIRED SKILL AND HAS COMPLETED THE
27 DRIVING PRACTICE REQUIREMENTS UNDER THIS PARAGRAPH.

28 [(3)] (4) An individual at least 25 years old who holds a learner's
29 instructional permit and has not been convicted of, or granted probation before judgment
30 for, a moving violation may not take a driver skills examination or driver road examination
31 for a provisional license:

32 (i) Sooner than 45 days following the date that the individual first

1 obtains the learner's instructional permit;

2 (ii) Until after successful completion of:

3 1. A standard driver education program approved under
4 Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least
5 6 hours of highway driving instruction; and

6 2. At least 14 hours, 3 hours of which must occur during the
7 period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of
8 behind-the-wheel driving practice supervised by an individual who:

9 A. Holds a valid driver's license;

10 B. Is at least 21 years old; and

11 C. Has been licensed to drive for at least 3 years; and

12 (iii) Unless the individual submits, in accordance with the
13 Administration's regulations, a completed skills log book signed by each supervising driver
14 who certifies that the individual has satisfactorily demonstrated a required skill and has
15 completed the driving practice requirements under this paragraph.

16 **[(4)] (5)** An individual at least 25 years old who holds a learner's
17 instructional permit and has been convicted of, or granted probation before judgment for,
18 at least one moving violation may not take a driver skills examination or driver road
19 examination for a provisional license:

20 (i) Sooner than 9 months following the most recent date the
21 individual was convicted of, or granted probation before judgment for, a moving violation;

22 (ii) Until after successful completion of:

23 1. A standard driver education program approved under
24 Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least
25 6 hours of highway driving instruction; and

26 2. At least 14 hours, 3 hours of which must occur during the
27 period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of
28 behind-the-wheel driving practice supervised by an individual who:

29 A. Holds a valid driver's license;

30 B. Is at least 21 years old; and

31 C. Has been licensed to drive for at least 3 years; and

1 (iii) Unless the individual submits, in accordance with the
 2 Administration's regulations, a completed skills log book signed by each supervising driver
 3 who certifies that the individual has satisfactorily demonstrated a required skill and has
 4 completed the driving practice requirements under this paragraph.

5 ~~[(5)]~~ **(6)** A learner's instructional permit issued to an individual described
 6 in paragraph (1) of this subsection expires 2 years after the date of issuance.

7 16-111.

8 (b) An applicant is entitled to receive a provisional license if the applicant:

9 (1) Meets the minimum age required under § 16-103(c)(2) of this subtitle;

10 (2) Satisfies the learner's instructional permit requirements under §
 11 16-105(d)(2), (3), ~~[or]~~ (4), **OR (5)** of this subtitle;

12 (3) Passes a driver skills or driver road examination administered under
 13 this subtitle;

14 (4) Surrenders any learner's instructional permit issued to the applicant;
 15 and

16 (5) Pays the fee established under this subtitle.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 18 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.