

HOUSE BILL 421

R4

9lr2982
CF SB 196

By: **Delegates Love, Acevero, Atterbeary, B. Barnes, Barron, Boyce, Bridges, Carr, Charkoudian, Clippinger, Cullison, Ebersole, Feldmark, Gilchrist, Hettleman, Ivey, Kaiser, Kelly, Korman, Lafferty, Lehman, Lierman, Lopez, Luedtke, McIntosh, Moon, Palakovich Carr, Pena-Melnyk, Qi, Queen, Reznik, Shetty, Solomon, Stewart, Terrasa, Valderrama, Wells, and K. Young**

Introduced and read first time: January 31, 2019

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2019

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Licenses, Identification Cards, and Moped Operator’s Permits –**
3 **Indication of Applicant’s Sex**

4 FOR the purpose of requiring that an application for a license, an identification card, or a
5 moped operator’s permit allow an applicant to indicate the applicant’s sex in a
6 certain manner; requiring the Motor Vehicle Administration to ensure that the
7 license, identification card, or moped operator’s permit of an applicant who indicates
8 that the applicant’s sex is unspecified displays a certain notation in the location that
9 indicates the applicant’s sex; prohibiting the Administration from requiring a certain
10 applicant to provide proof of the applicant’s sex; prohibiting the Administration from
11 denying a certain application under certain circumstances; and generally relating to
12 licenses, identification cards, and moped operator’s permits.

13 BY repealing and reenacting, without amendments,
14 Article – Transportation
15 Section 11–128 and 11–135
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2018 Supplement)

18 BY adding to

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 Article – Transportation
2 Section 12–305
3 Annotated Code of Maryland
4 (2012 Replacement Volume and 2018 Supplement)

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

7 **Article – Transportation**

8 11–128.

9 “License”, as used in reference to the operation of a motor vehicle, means any:

10 (1) Driver’s license; and

11 (2) Any other license or permit to drive a motor vehicle that is issued under
12 or granted by the laws of this State, including:

13 (i) Any temporary license;

14 (ii) A learner’s instructional permit;

15 (iii) A provisional license;

16 (iv) The privilege of any individual to drive a motor vehicle, whether
17 or not that individual is formally licensed by this or any other jurisdiction;

18 (v) Any nonresident’s privilege to drive, as defined in this subtitle;
19 and

20 (vi) A commercial driver’s license.

21 11–135.

22 (a) (1) “Motor vehicle” means, except as provided in subsection (b) of this
23 section, a vehicle that:

24 (i) Is self–propelled or propelled by electric power obtained from
25 overhead electrical wires; and

26 (ii) Is not operated on rails.

27 (2) “Motor vehicle” includes a low speed vehicle.

28 (b) “Motor vehicle” does not include:

- 1 (1) A moped, as defined in § 11–134.1 of this subtitle;
- 2 (2) A motor scooter, as defined in § 11–134.5 of this subtitle; or
- 3 (3) An electric bicycle, as defined in § 11–117.1 of this subtitle.

4 **12–305.**

5 (A) AN APPLICATION FOR A LICENSE, AN IDENTIFICATION CARD, OR A
6 MOPED OPERATOR’S PERMIT SHALL ALLOW AN APPLICANT TO INDICATE THAT THE
7 SEX THE APPLICANT IDENTIFIES AS IS:

- 8 (1) FEMALE;
- 9 (2) MALE; OR
- 10 (3) UNSPECIFIED OR OTHER.

11 (B) THE ADMINISTRATION SHALL ENSURE THAT THE LICENSE,
12 IDENTIFICATION CARD, OR MOPED OPERATOR’S PERMIT OF AN APPLICANT WHO HAS
13 INDICATED AN UNSPECIFIED OR OTHER SEX ON AN APPLICATION DISPLAYS AN “X”
14 IN THE LOCATION ON THE LICENSE, IDENTIFICATION CARD, OR MOPED OPERATOR’S
15 PERMIT THAT INDICATES THE APPLICANT’S SEX.

16 (C) THE ADMINISTRATION MAY NOT:

17 (1) REQUIRE AN APPLICANT FOR A LICENSE, AN IDENTIFICATION
18 CARD, OR A MOPED OPERATOR’S PERMIT TO PROVIDE PROOF OF THE APPLICANT’S
19 SEX; OR

20 (2) DENY AN APPLICATION FOR A LICENSE, AN IDENTIFICATION
21 CARD, OR A MOPED OPERATOR’S PERMIT BECAUSE THE SEX SELECTED BY THE
22 APPLICANT DOES NOT MATCH THE SEX INDICATED ON ANOTHER DOCUMENT
23 ASSOCIATED WITH THE APPLICANT.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2019.