

SENATE BILL 173

R4

~~EMERGENCY BILL~~

0lr1708
CF HB 28

By: **Senator Hester**

Introduced and read first time: January 13, 2020

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 18, 2020

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Driver’s Licenses Confiscated for Real ID Compliance – ~~Failure~~**
3 **~~to Possess or Display~~ Issuance and Display of Recall Notice**

4 FOR the purpose of ~~establishing an exception to certain requirements that an individual~~
5 ~~possess or display a driver’s license under certain circumstances if the individual’s~~
6 ~~license has been confiscated by a law enforcement officer within a certain amount of~~
7 ~~time for failure to submit certain documents to the Motor Vehicle Administration;~~
8 ~~making this Act an emergency measure; providing for the termination of this Act~~
9 authorizing certain individuals to satisfy the requirement to possess and display a
10 driver’s license while driving a motor vehicle by carrying and displaying a certain
11 recall notice issued under this Act for a certain period of time; requiring a law
12 enforcement officer who confiscates an individual’s driver’s license for failure to
13 submit certain documents to provide the holder of the license a certain recall notice
14 that includes certain information; requiring the Motor Vehicle Administration to
15 develop a form for the recall notice and to provide the form to law enforcement
16 agencies; and generally relating to requirements to possess or display a driver’s
17 license.

18 BY repealing and reenacting, with amendments,
19 Article – Transportation
20 Section 16–112
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2019 Supplement)

23 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 [(e)] (F) A person may not give the name of another person or give a false or
2 fictitious name to any uniformed police officer who is attempting to determine the identity
3 of a driver of a motor vehicle.

4 16-112.1.

5 (A) IF A LAW ENFORCEMENT OFFICER CONFISCATES AN INDIVIDUAL'S
6 DRIVER'S LICENSE FOR FAILURE TO SUBMIT THE DOCUMENTS REQUIRED UNDER §
7 16-106 OF THIS SUBTITLE, THE OFFICER SHALL ISSUE TO THE INDIVIDUAL A
8 WRITTEN RECALL NOTICE THAT INCLUDES:

9 (1) THE REASON FOR THE CONFISCATION OF THE LICENSE;

10 (2) A STATEMENT THAT THE INDIVIDUAL'S DRIVING PRIVILEGES
11 HAVE NOT BEEN REVOKED AS A RESULT OF THE CONFISCATION;

12 (3) INSTRUCTIONS ON HOW THE INDIVIDUAL MAY SUBMIT THE
13 REQUIRED DOCUMENTS TO RECEIVE A VALID DRIVER'S LICENSE; AND

14 (4) THE DATE OF THE ISSUANCE OF THE RECALL NOTICE.

15 (B) THE ADMINISTRATION SHALL:

16 (1) DEVELOP A FORM FOR THE RECALL NOTICE REQUIRED BY THIS
17 SECTION; AND

18 (2) MAKE THE FORM AVAILABLE TO ALL LAW ENFORCEMENT
19 AGENCIES IN THE STATE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~is an emergency~~
21 ~~measure, is necessary for the immediate preservation of the public health or safety, has~~
22 ~~been passed by a yea and nay vote supported by three fifths of all the members elected to~~
23 ~~each of the two Houses of the General Assembly, and shall take effect from the date it is~~
24 ~~enacted. It shall remain effective through December 31, 2024, and, at the end of December~~
25 ~~31, 2024, this Act, with no further action required by the General Assembly, shall be~~
26 ~~abrogated and of no further force and effect shall take effect October 1, 2020.~~