

HOUSE BILL 161

R4

(PRE-FILED)

4lr0076
CF SB 277

By: **Chair, Environment and Transportation Committee (By Request –
Departmental – Transportation)**

Requested: September 10, 2023

Introduced and read first time: January 10, 2024

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: February 13, 2024

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Driver’s Licenses, Learner’s Instructional Permits, and**
3 **Identification Cards**

4 FOR the purpose of exempting certain applicants for identification cards who present
5 certain documentation from the issuance fee for the identification card; extending
6 the term of certain learner’s instructional permits; establishing that certain driver’s
7 licenses issued to certain holders by the Motor Vehicle Administration remain in full
8 force and effect during an absence from the State; and generally relating to driver’s
9 licenses, learner’s instructional permits, and identification cards.

10 BY repealing and reenacting, without amendments,

11 Article – Transportation

12 Section 12–301(a)

13 Annotated Code of Maryland

14 (2020 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Transportation

17 Section 12–301(b), 16–105(e), and 16–115(d)

18 Annotated Code of Maryland

19 (2020 Replacement Volume and 2023 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

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 That the Laws of Maryland read as follows:

2 **Article – Transportation**

3 12–301.

4 (a) On application, the Administration shall issue an identification card to any
5 applicant who:

6 (1) Is a resident of this State;

7 (2) Does not have a driver’s license;

8 (3) Presents a birth certificate or other proof of age and identity acceptable
9 to the Administration;

10 (4) Provides satisfactory documentary evidence that the applicant has
11 lawful status;

12 (5) (i) Provides satisfactory documentary evidence that the applicant
13 has a valid Social Security number by presenting the applicant’s Social Security
14 Administration account card or, if the Social Security Administration account card is not
15 available, any of the following documents bearing the applicant’s Social Security number:

16 1. A current W–2 form;

17 2. A current SSA–1099 form;

18 3. A current non–SSA–1099 form; or

19 4. A current pay stub with the applicant’s name and Social
20 Security number on it; or

21 (ii) Provides satisfactory documentary evidence that the applicant is
22 not eligible for a Social Security number; and

23 (6) Presents a completed application for an identification card on a form
24 furnished by the Administration.

25 (b) (1) Except as provided in paragraph (2) of this subsection, the
26 Administration shall establish a fee for the issuance of an identification card and for
27 issuance of a duplicate identification card.

28 (2) A fee is not required if the applicant for the card:

29 (i) Is 65 years old or older;

- 1 (ii) Is legally blind;
- 2 (iii) Has permanently lost the use of a leg or an arm;
- 3 (iv) Is permanently disabled so severely that the applicant cannot
- 4 move without the aid of crutches or a wheelchair; [or]
- 5 (v) Has a physical or mental impairment that substantially limits a
- 6 “major life activity” as defined in the federal Americans with Disabilities Act;

7 (VI) PRESENTS DOCUMENTATION SHOWING THAT THE
8 APPLICANT WAS RELEASED FROM A CORRECTIONAL FACILITY WITHIN THE PRIOR 60
9 DAYS;

10 (VII) PRESENTS DOCUMENTATION SHOWING THAT THE
11 APPLICANT IS A YOUTH UNDER THE CARE OF THE DEPARTMENT OF JUVENILE
12 SERVICES;

13 (VIII) PRESENTS DOCUMENTATION SHOWING THAT THE
14 APPLICANT IS A YOUTH BETWEEN 15 AND 20 YEARS OF AGE, INCLUSIVE, WHO IS A
15 PARTICIPANT IN A DEPARTMENT OF HUMAN SERVICES PROGRAM, AS APPROVED BY
16 THE ADMINISTRATION;

17 (IX) PRESENTS DOCUMENTATION SHOWING THAT THE
18 APPLICANT IS CURRENTLY HOMELESS;

19 (X) PRESENTS DOCUMENTATION SHOWING THAT THE
20 APPLICANT IS CURRENTLY UNDER THE CARE OF THE MARYLAND DEPARTMENT OF
21 HEALTH; OR

22 (XI) PRESENTS OTHER DOCUMENTATION IN ACCORDANCE WITH
23 CONDITIONS ESTABLISHED IN REGULATIONS ADOPTED BY THE ADMINISTRATION.

24 16–105.

25 (e) (1) This subsection only applies to an individual who holds a license and
26 who seeks a different class license to drive a motor vehicle that, under the individual’s
27 current license, the individual is not authorized to drive.

28 (2) The holder of a learner’s instructional permit may not take the driver’s
29 license examination sooner than 14 days after the permit is issued.

30 (3) The 14 days’ requirement may be waived if a subsequent learner’s
31 instructional permit is issued or applied for.

1 (4) A learner's instructional permit issued to an individual described in
2 paragraph (1) of this subsection expires [180 days] **1 YEAR** after **THE** date of issuance.

3 (5) A commercial driver's instructional permit issued to an individual
4 described in paragraph (1) of this subsection expires 1 year after the date of issuance.

5 16–115.

6 (d) (1) A license [held by a member of the armed forces of the United States
7 who is absent from this State on active service in the armed forces of the United States, or
8 a dependent of the member who is residing with the member outside the State, shall remain
9 in full force and effect during such absence] **SHALL REMAIN IN FULL FORCE AND EFFECT**
10 **DURING AN ABSENCE FROM THE STATE IF THE LICENSE IS HELD BY:**

11 (i) 1. **A MEMBER OF THE ARMED FORCES OF THE UNITED**
12 **STATES WHO IS ABSENT FROM THIS STATE ON ACTIVE SERVICE IN THE ARMED**
13 **FORCES OF THE UNITED STATES; OR**

14 2. **A DEPENDENT OF THE MEMBER WHO IS RESIDING**
15 **WITH THE MEMBER OUTSIDE THE STATE; OR**

16 (ii) 1. **A CONTRACT EMPLOYEE WORKING ON BEHALF OF A**
17 **FEDERAL AGENCY OR BRANCH OF THE ARMED SERVICES WHO IS ABSENT FROM THE**
18 **STATE IN SERVICE OF THE CONTRACT; OR**

19 2. **A DEPENDENT OF THE CONTRACT EMPLOYEE WHO IS**
20 **RESIDING WITH THE CONTRACT EMPLOYEE OUTSIDE THE STATE.**

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

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

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

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2024.