
By: Delegate Fry

Introduced and read first time: February 16, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Driving Tests - Driver Performance Evaluation Pilot Program**

3 FOR the purpose of requiring the Motor Vehicle Administration to undertake a review of
4 the content of the driving test given to applicants for a driver's license to evaluate
5 the test's effectiveness in measuring driving skills under actual highway conditions;
6 requiring the Administration to develop a revised driving test that includes actual
7 highway driving to evaluate an applicant's ability to drive under certain highway
8 conditions and ensures standardization of test procedures and objectivity of scoring
9 criteria; requiring the Administration to implement the revised driving test as part
10 of a Driver Performance Evaluation Pilot Program to be established by the
11 Administration in certain counties; requiring the Administration to compare the
12 effectiveness of the driving test under the pilot program to the driving tests offered
13 elsewhere in the State; requiring the Administration to report to the General
14 Assembly before a certain date on the results of the driving test review undertaken
15 under this Act; requiring the report to include certain conclusions and
16 recommendations regarding driver testing; providing for the termination of this Act;
17 and generally relating to driving tests required of applicants for drivers' licenses.

18 BY repealing and reenacting, with amendments,
19 Article - Transportation
20 Section 16-110
21 Annotated Code of Maryland
22 (1992 Replacement Volume and 1995 Supplement)

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

25 **Article - Transportation**

26 16-110.

27 (a) The Administration shall:

28 (1) Establish qualifications for the safe operation of the various classes,
29 types, sizes, or combinations of vehicles; and

30 (2) Examine each applicant to determine his qualifications for the license
31 class applied for.

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1 (b) Except as otherwise provided in this title, the Administration shall examine
2 each applicant for an original driver's license or for a class of driver's license higher than
3 that which the applicant currently holds.

4 (c) The examination shall include:

5 (1) A test of the applicant's:

6 (i) Vision;

7 (ii) Ability to read and understand highway signs regulating, warning,
8 and directing traffic; and

9 (iii) Knowledge of the traffic laws of this State and safedriving
10 practices;

11 (2) A demonstration of the applicant's ability to exercise reasonable control
12 in driving a motor vehicle; and

13 (3) Any other additional physical or mental examination that the
14 Administration considers necessary to determine an applicant's fitness to drive a motor
15 vehicle safely.

16 (d) If an applicant is qualified to take the required examinations for the license
17 applied for, the applicant shall appear in person for examination at any one of the places
18 in this State that the Administration has designated for this purpose.

19 (e) (1) For the required driving test, each applicant shall provide a motor
20 vehicle of a type appropriate to test the applicant's ability to drive all vehicles that may be
21 driven under the license class applied for.

22 (2) Except as provided in paragraphs (3) and (4) of this subsection, when
23 the holder of a learner's instructional permit appears for the driving test, he shall be
24 accompanied by an individual qualified under § 16-105 of this subtitle to accompany the
25 holder of a learner's permit while driving on a highway. That individual shall have his
26 driver's license with him.

27 (3) The holder of a Class E or M (motorcycle) learner's instructional permit
28 may:

29 (i) Transport a motorcycle to the driving test by truck or other vehicle
30 unaccompanied by another individual, if the permit holder is licensed to drive the truck or
31 other vehicle; or

32 (ii) Be accompanied by a person transporting a motorcycle to the test
33 by truck or other vehicle, if that person is licensed to drive the truck or other vehicle.

34 (4) The holder of a learner's instructional permit may be driven to the
35 examination station and to the starting point where the examiner begins the test by any
36 individual authorized to drive the class of vehicle in which the test is being given. That
37 individual shall have his driver's license with him.

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1 (f) If the applicant does not pass the examination for the license class applied for,
2 the Administration may issue the applicant any license of a lower class for which he
3 qualifies.

4 (g) Except as provided in subsection (h) of this section, the Administration may
5 waive any driver's license examination provided for under this title if the applicant:

6 (1) Holds a valid driver's license issued under this subtitle; or

7 (2) Holds a valid license from:

8 (i) Another State;

9 (ii) A territory or possession of the United States, the District of
10 Columbia, or the Commonwealth of Puerto Rico; or

11 (iii) A province or territory of Canada.

12 (h) The Administration may not waive a vision examination required under this
13 section.

14 (I) (1) THE ADMINISTRATION SHALL UNDERTAKE A REVIEW OF THE
15 CONTENT OF THE DRIVING TEST GIVEN TO AN APPLICANT FOR A DRIVER'S LICENSE
16 UNDER THIS SECTION AND SHALL EVALUATE THE EFFECTIVENESS OF THE TEST
17 WITH RESPECT TO ITS ABILITY TO ADEQUATELY MEASURE THE APPLICANT'S SKILL
18 IN DRIVING UNDER ACTUAL HIGHWAY CONDITIONS.

19 (2) AS PART OF THE REVIEW REQUIRED UNDER PARAGRAPH (1) OF
20 THIS SUBSECTION, THE ADMINISTRATION SHALL DEVELOP A REVISED DRIVING
21 TEST THAT:

22 (I) INCLUDES ACTUAL HIGHWAY DRIVING;

23 (II) PROVIDES OPPORTUNITIES TO EVALUATE THE APPLICANT'S
24 ABILITY TO:

25 1. DRIVE ON HIGH SPEED HIGHWAYS;

26 2. ENTER AND EXIT HIGHWAYS BY WAY OF MERGE LANES;

27 3. DRIVE UNDER CONGESTED TRAFFIC CONDITIONS;

28 4. READ AND FOLLOW ROAD SIGNS WHILE DRIVING;

29 5. REACT TO UNEXPECTED HIGHWAY CONDITIONS SUCH AS
30 ROAD CONSTRUCTION OBSTACLES AND DETOURS; AND

31 6. RESPOND TO OTHER COMMON HIGHWAY CONDITIONS
32 THAT DEMAND THE APPLICATION OF THE GOOD JUDGMENT AND SAFE DRIVING
33 SKILLS THAT A COMPETENT DRIVER SHOULD POSSESS; AND

34 (III) ENSURES STANDARDIZATION OF TESTING PROCEDURES AND
35 OBJECTIVITY OF SCORING CRITERIA.

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1 (3) (I) THE ADMINISTRATION SHALL IMPLEMENT THE DRIVING TEST
2 DEVELOPED UNDER THIS SUBSECTION AS PART OF A DRIVER PERFORMANCE
3 EVALUATION PILOT PROGRAM TO BE ESTABLISHED BY THE ADMINISTRATION IN
4 THE FOLLOWING COUNTIES:

- 5 1. HARFORD;
- 6 2. BALTIMORE; AND
- 7 3. MONTGOMERY.

8 (II) AS PART OF THE PILOT PROGRAM ESTABLISHED UNDER THIS
9 SUBSECTION, THE ADMINISTRATION SHALL CONDUCT AN ONGOING STUDY TO:

- 10 1. EVALUATE THE DRIVING TEST OFFERED UNDER THE
11 PILOT PROGRAM WITH RESPECT TO ITS EFFECTIVENESS IN ENSURING THE
12 COMPETENCY OF DRIVERS; AND
- 13 2. DETERMINE THE RELATIVE MERITS OF THE DRIVING
14 TEST OFFERED UNDER THE PILOT PROGRAM IN COMPARISON WITH THE TESTS
15 OFFERED TO LICENSE APPLICANTS ELSEWHERE IN THE STATE.

16 SECTION 2. AND BE IT FURTHER ENACTED, That, before January 1, 1999
17 the Motor Vehicle Administration shall report to the General Assembly, in accordance
18 with § 2-1312 of the State Government Article, on the implementation of this Act,
19 including:

- 20 (1) the results of the driving test review and evaluation undertaken by the
21 Administration under this Act;
- 22 (2) the conclusions of the Administration regarding the comparison of the
23 driving test offered under the Driver Performance Evaluation Pilot Program and the tests
24 offered elsewhere in the State; and
- 25 (3) the Administration's recommendations regarding the future of driver
26 testing in the State.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 1996. It shall remain effective for a period of 2 years and 3 months and, at the
29 end of December 31, 1998, with no further action required by the General Assembly, this
30 Act shall be abrogated and of no further force and effect.