# Unofficial Copy

1996 Regular Session

(PRE-FILED)

6lr0296

# **By: Senator Middleton**

Requested: November 15, 1995 Introduced and read first time: January 10, 1996 Assigned to: Judicial Proceedings

## A BILL ENTITLED

1 AN ACT concerning

#### 2 Vehicle Laws - Speeding Violations by Minors - Notification of Parent or Guardian

3 FOR the purpose of requiring the Motor Vehicle Administration to notify the parent, guardian, or other cosigner of a minor's driver's license application if a citation is 4 issued to the minor charging the minor with driving a motor vehicle at a certain 5 6 speed in excess of the maximum lawful speed; requiring the Chief Judge of the 7 District Court, in conjunction with the Motor Vehicle Administrator, to establish procedures for notifying the Administration of each citation issued to a minor 8 9 licensed in the State charging that the minor committed a certain speeding offense; 10 requiring an individual who cosigns a minor's application for a driver's license to 11 provide the individual's mailing address to the Administration and to notify the 12 Administration of any change of address occurring within a certain time; requiring 13 the notice provided by the Administration under this Act to be mailed to a certain 14 address and contain certain information; making a stylistic change; requiring the Administration to report to certain committees of the General Assembly before a 15 16 certain date on the implementation of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to procedures for 17 18 notifying the parent, guardian, or other cosigner of a minor's driver's license application that a citation alleging a certain speeding violation was issued to the 19 20 minor.

21 BY repealing and reenacting, with amendments,

- 22 Article Courts and Judicial Proceedings
- 23 Section 1-605(d)
- 24 Annotated Code of Maryland
- 25 (1995 Replacement Volume and 1995 Supplement)

26 BY repealing and reenacting, with amendments,

- 27 Article Transportation
- 28 Section 16-107
- 29 Annotated Code of Maryland
- 30 (1992 Replacement Volume and 1995 Supplement)

31 BY adding to

R5

2	
1	Article - Transportation
2	Section 21-808
3	Annotated Code of Maryland
4	(1992 Replacement Volume and 1995 Supplement)
5 6	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
7	Article - Courts and Judicial Proceedings
8	1-605.
9	(d) In addition to the powers and duties granted and imposed in subsections (a),
	(b), and (c) of this section, or elsewhere by law or rule, the Chief Judge of the District
	Court shall:
10	
12	
	for each district, and other personnel of the Court pursuant to ArticleIV, § 41F of the Constitution;
17	
15	(2) Approve the appointments of commissioners of the District Court
16	pursuant to Article IV, § 41G of the Constitution;
1.7	
17	(3) Establish uniform record-keeping procedures for the Court;
18	(4) In conjunction with the motor vehicle administrator, establish uniform
19	procedures for reporting traffic cases in the District Court, INCLUDINGPROCEDURES
	FOR PROMPTLY NOTIFYING THE MOTOR VEHICLE ADMINISTRATION OF EACH
21	CITATION ISSUED TO A MINOR LICENSED IN THE STATE CHARGING THE MINOR
22	WITH DRIVING A MOTOR VEHICLE AT LEAST 20 MILES PER HOUR ABOVE THE
23	MAXIMUM LAWFUL SPEED;
24	(5) In againstian with the State Comptrellar establish a system for the
	(5) In conjunction with the State Comptroller, establish a system for the collection and remittance of costs, fines, penalties, and forfeitures collected by the
	District Court;
20	District Court,
27	(6) Approve in writing the destruction of pleadings, papers, orfiles
28	proposed for destruction pursuant to § 2-206 of this article;
29	(7) On the recommendation of the administrative judge of any district,
	approve in writing the invalidation and destruction of certain warrantsfor arrest, if the
	administrative judge certifies to the Chief Judge that:
01	administrative judge corumes to the enter sudge that.
32	(i) Each of the warrants is more than 3 years old;
33	
54	enforcement agency for execution and service, which was not effected;
35	(iii) Each of the warrants was issued by a judicial officer of the Court
	for:
37	1. The arrest of the defendant in order that the defendant

38 might stand trial on a misdemeanor offense;

## SENATE BILL 86

3	
1 2	2. The failure of the defendant to appear for trial for a misdemeanor offense, as directed by the Court;
3 4	3. The failure of the defendant to make a deferred payment of a fine or costs as ordered by the Court for a misdemeanor offense; or
5 6	4. A violation of a probation order of the Court entered in a misdemeanor offense; and
7 8	(iv) The administrative judge believes that the invalidation and destruction of the arrest warrant is consistent with the ends of justice; and
11 12	(8) After consultation with police administrators and the MotorVehicle Administrator, design arrest - citation forms that shall be used by alllaw enforcement agencies in the State when charging a person with a criminal, civil, ortraffic offense, excepting violations of parking ordinances or regulations adopted underSubtitle 3 of Title 26 of the Transportation Article.
14	Article - Transportation
15	16-107.
16	(a) The application of a minor for a license shall be cosigned by:
17	(1) A parent or guardian of the applicant; or
18 19	(2) If the applicant has no parent or guardian or is married, an adult employer of the applicant or any other responsible adult.
20	(b) The individual cosigning the application of a minor shall [certify]:
21 22	(1) (I) PROVIDE THE COSIGNER'S MAILING ADDRESS TO THE ADMINISTRATION; AND
	(II) NOTIFY THE ADMINISTRATION OF ANY CHANGE IN THE MAILING ADDRESS OCCURRING WHILE THE APPLICANT OR LICENSEE IS A MINOR; AND
26 27	(2) CERTIFY that the statements made in the application are true to the best of [his] THE COSIGNER'S knowledge, information, and belief.
28 29	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:
30	Article - Transportation
31	21-808.
	(A) UPON RECEIPT OF NOTIFICATION FROM THE DISTRICT COURT UNDER § 1-605(D)(4) OF THE COURTS ARTICLE THAT A CITATION WAS ISSUED TO A MINOR CHARGING THE MINOR WITH DRIVING A MOTOR VEHICLE AT LEAST 20 MILES PER

35 HOUR ABOVE THE MAXIMUM LAWFUL SPEED, THE ADMINISTRATION PROMPTLY36 SHALL NOTIFY THE COSIGNER OF THE MINOR'S DRIVER'S LICENSE APPLICATION

37 THAT THE CITATION WAS ISSUED TO THE MINOR.

# SENATE BILL 86

1 (B) THE NOTIFICATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION 2 SHALL:	
<ul> <li>3 (1) BE MAILED BY THE ADMINISTRATION TO THE MOST RECENT</li> <li>4 ADDRESS PROVIDED BY THE COSIGNER IN ACCORDANCE WITH § 16-107 (B) OF THIS</li> <li>5 ARTICLE; AND</li> </ul>	
6 (2) CONTAIN THE FOLLOWING INFORMATION:	
<ul> <li>7 (I) THE NAME, ADDRESS, AND DATE OF BIRTH OF THE MINOR</li> <li>8 CHARGED WITH THE VIOLATION;</li> </ul>	
9 (II) THE SPEED AT WHICH THE MINOR IS ALLEGED TO HAVE 10 DRIVEN;	
11 (III) THE MAXIMUM LAWFUL SPEED AT THE LOCATION OF THE 12 ALLEGED VIOLATION;	
13 (IV) THE AMOUNT OF THE FINE SPECIFIED IN THE CITATION; AND	
14(V) THE NUMBER OF POINTS THAT MAY BE ASSESSED AGAINST15 THE MINOR.	
16 SECTION 3. AND BE IT FURTHER ENACTED, That, before November 1, 1996,	
17 the Motor Vehicle Administration shall report to the Senate Judicial Proceedings	
18 Committee and the House Commerce and Government Matters Committee, in	
19 accordance with § 2-1312 of the State Government Article, on the implementation of this	
20 Act, including the status of the Administration's Digital Imaging Of Documents (DIOD)	
21 System and the capability of the DIOD System to facilitate the retrieval of mailing	
22 addresses and other data necessary to comply with this Act.	

23 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall 24 take effect January 1, 1997.

25 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of 26 this Act, this Act shall take effect July 1, 1996.

4