
By: Senator Middleton

Requested: September 26, 1996

Introduced and read first time: January 8, 1997

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,
4 guardian, or other cosigner of a minor's driver's license application if a citation is
5 issued to the minor charging the minor with driving a motor vehicle at a certain
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
8 procedures for notifying the Administration of each citation issued to a minor
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; providing that certain evidence is not
15 admissible in certain proceedings; making a stylistic change; providing for the
16 construction and applicability of this Act; and generally relating to procedures for
17 notifying the parent, guardian, or other cosigner of a minor's driver's license
18 application that a citation alleging a certain speeding violation was issued to the
19 minor.

20 BY repealing and reenacting, with amendments,
21 Article - Courts and Judicial Proceedings
22 Section 1-605(d)
23 Annotated Code of Maryland
24 (1995 Replacement Volume and 1996 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article - Transportation
27 Section 16-107
28 Annotated Code of Maryland
29 (1992 Replacement Volume and 1996 Supplement)

30 BY adding to
31 Article - Transportation

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1 Section 21-808
2 Annotated Code of Maryland
3 (1992 Replacement Volume and 1996 Supplement)

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

6 **Article - Courts and Judicial Proceedings**

7 1-605.

8 (d) In addition to the powers and duties granted and imposed in subsections (a),
9 (b), and (c) of this section, or elsewhere by law or rule, the Chief Judge of the District
10 Court shall:

11 (1) Appoint a chief clerk of the District Court, a chief administrative clerk
12 for each district, and other personnel of the District Court pursuant to Article IV, § 41F
13 of the Constitution;

14 (2) Approve the appointments of commissioners of the District Court
15 pursuant to Article IV, § 41G of the Constitution;

16 (3) Establish uniform record-keeping procedures for the District Court;

17 (4) In conjunction with the motor vehicle administrator, establish uniform
18 procedures for reporting traffic cases in the District Court, INCLUDING PROCEDURES
19 FOR PROMPTLY NOTIFYING THE MOTOR VEHICLE ADMINISTRATION OF EACH
20 CITATION ISSUED TO A MINOR LICENSED IN THE STATE CHARGING THE MINOR
21 WITH DRIVING A MOTOR VEHICLE AT LEAST 20 MILES PER HOUR ABOVE THE
22 MAXIMUM LAWFUL SPEED;

23 (5) In conjunction with the State Comptroller, establish a system for the
24 collection and remittance of costs, fines, penalties, and forfeitures collected by the
25 District Court;

26 (6) Approve in writing the destruction of pleadings, papers, or files
27 proposed for destruction pursuant to § 2-206 of this article;

28 (7) On the recommendation of the administrative judge of any district,
29 approve in writing the invalidation and destruction of certain warrants for arrest, if the
30 administrative judge certifies to the Chief Judge that:

31 (i) Each of the warrants is more than 3 years old;

32 (ii) The warrant was properly delivered to an authorized law
33 enforcement agency for execution and service, which was not effected;

34 (iii) Each of the warrants was issued by a judicial officer of the District
35 Court for:

36 1. The arrest of the defendant in order that the defendant
37 might stand trial on a misdemeanor offense;

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1 2. The failure of the defendant to appear for trial for a
2 misdemeanor offense, as directed by the District Court;

3 3. The failure of the defendant to make a deferred payment of
4 a fine or costs as ordered by the District Court for a misdemeanor offense; or

5 4. A violation of a probation order of the District Court entered
6 in a misdemeanor offense; and

7 (iv) The administrative judge believes that the invalidation and
8 destruction of the arrest warrant is consistent with the ends of justice; and

9 (8) After consultation with police administrators and the Motor Vehicle
10 Administrator, design arrest - citation forms that shall be used by all law enforcement
11 agencies in the State when charging a person with a criminal, civil, or traffic offense,
12 excepting violations of parking ordinances or regulations adopted under Subtitle 3 of
13 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 (2) If the applicant has no parent or guardian or is married, an adult
19 employer of the applicant or any other responsible adult.

20 (b) The individual cosigning the application of a minor shall [certify]:

21 (1) (I) PROVIDE THE COSIGNER'S MAILING ADDRESS TO THE
22 ADMINISTRATION; AND

23 (II) NOTIFY THE ADMINISTRATION OF ANY CHANGE IN THE
24 MAILING ADDRESS OCCURRING WHILE THE APPLICANT OR LICENSEE IS A MINOR;
25 AND

26 (2) CERTIFY that the statements made in the application are true to the
27 best of [his] THE COSIGNER'S knowledge, information, and belief.

28 21-808.

29 (A) UPON RECEIPT OF NOTIFICATION FROM THE DISTRICT COURT UNDER §
30 1-605(D)(4) OF THE COURTS ARTICLE THAT A CITATION WAS ISSUED TO A MINOR
31 CHARGING THE MINOR WITH DRIVING A MOTOR VEHICLE AT LEAST 20 MILES PER
32 HOUR ABOVE THE MAXIMUM LAWFUL SPEED, THE ADMINISTRATION PROMPTLY
33 SHALL NOTIFY THE COSIGNER OF THE MINOR'S DRIVER'S LICENSE APPLICATION
34 THAT THE CITATION WAS ISSUED TO THE MINOR.

35 (B) THE NOTIFICATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
36 SHALL:

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1 (1) BE MAILED BY THE ADMINISTRATION TO THE MOST RECENT
2 ADDRESS PROVIDED BY THE COSIGNER IN ACCORDANCE WITH § 16-107 (B) OF THIS
3 ARTICLE; AND

4 (2) CONTAIN THE FOLLOWING INFORMATION:

5 (I) THE NAME, ADDRESS, AND DATE OF BIRTH OF THE MINOR
6 CHARGED WITH THE VIOLATION;

7 (II) THE SPEED AT WHICH THE MINOR IS ALLEGED TO HAVE
8 DRIVEN;

9 (III) THE MAXIMUM LAWFUL SPEED AT THE LOCATION OF THE
10 ALLEGED VIOLATION;

11 (IV) THE AMOUNT OF THE FINE SPECIFIED IN THE CITATION; AND

12 (V) THE NUMBER OF POINTS THAT MAY BE ASSESSED AGAINST
13 THE MINOR.

14 (C) EVIDENCE OF THE RECEIPT OR LACK OF RECEIPT OF THE NOTICE
15 REQUIRED BY THIS SECTION IS NOT ADMISSIBLE IN ANY CIVIL OR CRIMINAL ACTION
16 AGAINST A COSIGNER.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed
18 only prospectively and may be applied only to a minor whose application to the Motor
19 Vehicle Administration for a driver's license was filed on or after the effective date of this
20 Act.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1997.