
By: Senator Dyson

Introduced and read first time: January 27, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - License Restriction for a Minor - Prohibition Against Minors as**
3 **Passengers**

4 FOR the purpose of requiring the Motor Vehicle Administration to impose a certain
5 restriction on the original driver's license of a minor which prohibits the minor from
6 transporting individuals under a certain age as passengers; requiring the restriction
7 to be in effect for a certain period of time; exempting certain passengers from the
8 provisions of this Act; authorizing a police officer to enforce this Act only as a
9 secondary violation; providing that a violation of this Act is a moving violation for
10 the purpose of awarding points against a driver's license; and generally relating to a
11 restriction on the original driver's license of a minor.

12 BY renumbering

13 Article - Transportation
14 Section 16-113(h), (i), and (j), respectively
15 to be Section 16-113(i), (j), and (k), respectively
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1996 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article - Transportation
20 Section 16-113(a)
21 Annotated Code of Maryland
22 (1992 Replacement Volume and 1996 Supplement)

23 BY adding to

24 Article - Transportation
25 Section 16-113(h)
26 Annotated Code of Maryland
27 (1992 Replacement Volume and 1996 Supplement)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
29 MARYLAND, That Section(s) 16-113(h), (i), and (j), respectively, of Article -
30 Transportation of the Annotated Code of Maryland be renumbered to be Section(s)
31 16-113(i), (j), and (k), respectively.

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1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
2 read as follows:

3 **Article - Transportation**

4 16-113.

5 (a) In addition to the vision and other restrictions provided for in this subtitle,
6 when it issues a driver's license, the Administration for good cause may impose on the
7 licensee:

8 (1) Any restrictions suitable to the licensee's driving ability with respect to
9 the type of special mechanical control devices required on motor vehicles that the
10 licensee may drive;

11 (2) An alcohol restriction which prohibits the licensee from driving or
12 attempting to drive a motor vehicle while having alcohol in the licensee's blood; and

13 (3) Any other restrictions applicable to the licensee that the Administration
14 determines appropriate to assure the safe driving of a motor vehicle by the licensee.

15 (H) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II)2 OF THIS
16 PARAGRAPH, THE ADMINISTRATION SHALL IMPOSE ON EACH LICENSEE UNDER THE
17 AGE OF 18 YEARS A RESTRICTION THAT PROHIBITS THE LICENSEE FROM DRIVING A
18 MOTOR VEHICLE WITH A PASSENGER UNDER THE AGE OF 18 YEARS.

19 (II) THE RESTRICTION IMPOSED UNDER SUBPARAGRAPH (I) OF
20 THIS PARAGRAPH:

21 1. SHALL BE IN EFFECT FROM THE DATE THE LICENSE IS
22 ORIGINALLY ISSUED UNTIL THE 181ST DAY AFTER THE LICENSE WAS ISSUED; AND

23 2. DOES NOT APPLY TO A PASSENGER WHO IS A SPOUSE,
24 DAUGHTER, SON, STEPDAUGHTER, STEPSON, SISTER, BROTHER, STEPSISTER, OR
25 STEPBROTHER OF THE LICENSEE.

26 (2) A POLICE OFFICER MAY ENFORCE THE PROVISIONS OF THIS
27 SUBSECTION ONLY AS A SECONDARY ACTION WHEN THE POLICE OFFICER DETAINS
28 A DRIVER FOR A SUSPECTED VIOLATION OF ANOTHER PROVISION OF THE CODE.

29 (3) A VIOLATION OF THIS SUBSECTION IS A MOVING VIOLATION FOR
30 THE PURPOSES OF § 16-402 OF THIS TITLE.

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