

SENATE BILL 151

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R4  
SB 365/97 - JPR

1998 Regular Session  
8r1401

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By: **Senator Dyson**

Introduced and read first time: January 23, 1998

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - License Restriction for a Minor - Prohibition Against Minors**  
3 **as 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  
6 from transporting individuals under a certain age as passengers; requiring the  
7 restriction to be in effect for a certain period of time; exempting certain  
8 passengers from the provisions of this Act; authorizing a police officer to enforce  
9 this Act only as a secondary violation; providing that a violation of this Act is a  
10 moving violation for the purpose of awarding points against a driver's license;  
11 and generally relating to a 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 1997 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 1997 Supplement)

23 BY adding to

24 Article - Transportation  
25 Section 16-113(h)  
26 Annotated Code of Maryland  
27 (1992 Replacement Volume and 1997 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 -

1 Transportation of the Annotated Code of Maryland be renumbered to be Section(s)  
2 16-113(i), (j), and (k), respectively.

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

5 **Article - Transportation**

6 16-113.

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

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

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

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

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

22 (II) THE RESTRICTION IMPOSED UNDER SUBPARAGRAPH (I) OF  
23 THIS PARAGRAPH:

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

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

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

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

34 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 October 1, 1998.