

HOUSE BILL 598

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R4

1999 Regular Session
9lr0481
CF 9lr1673

By: **Delegates Vallario, Arnick, and Greenip**
Introduced and read first time: February 11, 1999
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Driver Licensing - Driver Education**

3 FOR the purpose of exempting individuals at least 21 years old from the driver's
4 education requirement necessary to obtain a provisional license; exempting
5 individuals at least 21 years old from the requirement of submission of a certain
6 log book to obtain a provisional license; requiring individuals who are at least 21
7 years old and do not complete the driver's education requirement to attend a
8 certain drug and alcohol program; making stylistic changes; and generally
9 relating to provisional driver's license requirements.

10 BY repealing and reenacting, with amendments,
11 Article - Transportation
12 Section 16-105
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 1998 Supplement)
15 (As enacted by Chapter 483 of the Acts of the General Assembly of 1998)

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

18 **Article - Transportation**

19 16-105.

20 (a) (1) Any individual who desires to obtain an original driver's license
21 under this subtitle or to be licensed in a class for which the individual is not already
22 licensed under this subtitle shall apply to the Administration for the desired driver's
23 license.

24 (2) Except as provided in subsection (f) of this section, before issuing a
25 driver's license, the Administration shall issue to each applicant a learner's
26 instructional permit. The learner's instructional permit shall identify clearly the class
27 of license for which the applicant has applied.

1 (b) (1) The holder of a learner's instructional permit may drive the same
2 vehicle and combinations of vehicles as may a holder of the class of driver's license for
3 which the permit holder has applied, but only while accompanied by and under the
4 immediate supervision of an individual who:

5 (i) Is at least 21 years old;

6 (ii) Has been licensed for at least 3 years in this State or in another
7 state to drive vehicles of the class then being driven by the holder of the learner's
8 instructional permit; and

9 (iii) Unless the vehicle is a motorcycle, is seated beside the holder of
10 the learner's instructional permit.

11 (2) The individual supervising the holder of the learner's instructional
12 permit under paragraph (1) of this subsection is the only individual allowed in the
13 front seat of a motor vehicle with the permit holder while the permit holder is driving.

14 (c) The holder of a learner's instructional permit for a motorcycle may drive
15 the motorcycle with another individual on it only if the other individual is one
16 described in subsection (b)(1)(i) and (ii) of this section.

17 (d) (1) This subsection applies to an individual who:

18 (i) Seeks to obtain an original driver's license under this subtitle;
19 and

20 (ii) Does not qualify for a learner's instructional permit under
21 subsection (e) of this section.

22 (2) An individual who holds a learner's instructional permit may not
23 take a driver skills examination or driver road examination for a provisional license:

24 (i) Sooner than 4 months:

25 1. After the individual first obtains the learner's
26 instructional permit; or

27 2. After the date on which the individual committed a
28 moving violation for which the individual was convicted;

29 (ii) [Until after successful completion of] IF THE INDIVIDUAL IS
30 UNDER THE AGE OF 21 YEARS, UNTIL THE INDIVIDUAL SUCCESSFULLY COMPLETES a
31 driver education course approved under Subtitle 5 of this title, consisting of at least
32 30 hours of classroom instruction and at least 6 hours of highway driving instruction;
33 [or]

34 (III) IF THE INDIVIDUAL IS AT LEAST 21 YEARS OLD AND DOES NOT
35 COMPLETE A DRIVER'S EDUCATION COURSE UNDER SUBPARAGRAPH (2)(II) OF THIS
36 PARAGRAPH, UNTIL THE INDIVIDUAL SUCCESSFULLY COMPLETES A 3-HOUR

1 ALCOHOL AND DRUG EDUCATION PROGRAM ESTABLISHED BY THE ADMINISTRATION
2 UNDER § 16-212.1 OF THIS TITLE; AND

3 [(iii)] (IV) [Unless] IF THE INDIVIDUAL IS UNDER THE AGE OF 21
4 YEARS, UNTIL the individual submits, in accordance with the Administration's
5 regulations, a completed skills log book signed by:

6 1. Each supervising driver who certifies that the individual
7 has satisfactorily demonstrated a required skill; and

8 2. If a signature of a parent, guardian, or other person is
9 required under § 16-107 of this subtitle, the parent, guardian, or other person who
10 signs the individual's application under that section.

11 (3) A learner's instructional permit issued to an individual described in
12 paragraph (1) of this subsection expires one year after the date of issuance.

13 (e) (1) This subsection only applies to an individual who holds a license and
14 who seeks a different class license to drive a motor vehicle that, under the individual's
15 current license, the individual is not authorized to drive.

16 (2) The holder of a learner's instructional permit may not take the
17 driver's license examination sooner than 14 days after the permit is issued.

18 (3) The 14 days' requirement may be waived if a subsequent learner's
19 instructional permit is issued or applied for.

20 (4) A learner's instructional permit issued to an individual described in
21 paragraph (1) of this subsection expires 180 days after date of issuance.

22 (f) (1) Subject to paragraph (3) of this subsection, the Administration may
23 issue a driver's license, without first issuing a learner's instructional permit and
24 without a waiting period, to any individual who:

25 (i) Has been licensed regularly to drive in this State, in another
26 state or country, or by the armed forces of the United States, if the Administration is
27 satisfied that the applicant's experience in driving vehicles of the type that would be
28 authorized by the license class applied for is sufficient to justify issuance of the
29 license without further training; or

30 (ii) Has successfully completed the Administration approved basic
31 motorcycle safety course.

32 (2) The Administration may:

33 (i) Examine the applicant's driving as provided in § 16-110 of this
34 [title] SUBTITLE; or

35 (ii) Issue a provisional license, if appropriate, under § 16-111(e) of
36 this subtitle.

1 (3) An individual who never held a driver's license issued by the
2 Administration or by another state, but who otherwise may obtain a license under
3 paragraph (1)(i) of this subsection without first obtaining a learner's instructional
4 permit, shall successfully complete a 3-hour alcohol and drug education program
5 established by the Administration under § 16-212.1 of this title before qualifying for
6 a driver's license.

7 (g) An individual holding a learner's instructional permit issued under this
8 section may not drive or attempt to drive a motor vehicle on any highway in this State
9 in violation of any of the provisions of this section.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1999.