

HOUSE BILL 125

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2000 Regular Session
0lr1055

By: **Delegates Bronrott, Mandel, McIntosh, Hurson, Bobo, Clagett, Dobson,
Gladden, Kagan, Paige, Riley, and Shank**

Introduced and read first time: January 17, 2000

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Drivers' Licenses - Graduated Licensing System - Provisional Licenses -**
3 **Restrictions Applicable to Minors**

4 FOR the purpose of requiring the Motor Vehicle Administration to impose additional
5 restrictions applicable to individuals who are under a certain age and who hold
6 provisional drivers' licenses pertaining to certain occupants of a motor vehicle;
7 extending certain sanctions to violations of certain license restrictions resulting
8 in convictions; limiting the application of this Act to certain drivers who hold
9 provisional licenses as of a specified date; and generally relating to license
10 restrictions applicable to drivers who are under a certain age and who hold
11 provisional drivers' licenses.

12 BY repealing and reenacting, with amendments,
13 Article - Transportation
14 Section 16-213
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 1999 Supplement)

17 BY adding to
18 Article - Transportation
19 Section 16-113(d-1)
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 1999 Supplement)

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

1 **Article - Transportation**

2 16-113.

3 (D-1) (1) NOTWITHSTANDING THE LICENSEE'S DRIVING RECORD, THE
4 ADMINISTRATION SHALL IMPOSE A RESTRICTION ON EACH PROVISIONAL DRIVER'S
5 LICENSE PROHIBITING THE LICENSEE FROM OPERATING A MOTOR VEHICLE IF:

6 (I) THE MOTOR VEHICLE IS OCCUPIED BY MORE THAN TWO
7 PASSENGERS WHO:

8 1. ARE UNDER THE AGE OF 21; AND

9 2. ARE NOT MEMBERS OF THE LICENSEE'S IMMEDIATE
10 FAMILY; OR

11 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DRIVER
12 AND EACH PASSENGER IN THE MOTOR VEHICLE ARE NOT RESTRAINED BY A SEAT
13 BELT OR, IN ACCORDANCE WITH § 22-412.2 OF THIS ARTICLE, BY A CHILD SAFETY
14 SEAT.

15 (2) IT IS NOT A VIOLATION OF THE RESTRICTION UNDER PARAGRAPH
16 (1)(II) OF THIS SUBSECTION IF AN INDIVIDUAL COVERED BY A MEDICAL EXCEPTION
17 UNDER § 22-412.2(F) OR § 22-412.3(D) AND (E) OF THIS ARTICLE IS NOT RESTRAINED.

18 (3) THE RESTRICTIONS UNDER PARAGRAPH (1) OF THIS SUBSECTION
19 EXPIRE ON THE DATE THAT THE HOLDER OF A PROVISIONAL LICENSE TURNS 18
20 YEARS OF AGE.

21 16-213.

22 (a) In this section, "offense" means A LICENSE RESTRICTION VIOLATION
23 UNDER § 16-113(D) OR (D-1) OF THIS TITLE OR a moving violation committed by an
24 individual who:

25 (1) Holds a provisional license under § 16-111 of this title; and

26 (2) Was convicted of the violation.

27 (b) The sanctions under this section are in addition to any other penalty or
28 sanctions that might apply as a result of a moving violation.

29 (c) The Administration:

30 (1) For a first offense, shall require the offender to attend a driver
31 improvement program under § 16-212 of this subtitle;

32 (2) For a second offense, may suspend the offender's provisional license
33 for up to 30 days; and

1 (3) For a third or subsequent offense, may suspend or revoke the
2 offender's provisional license for up to 180 days.

3 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding Section
4 1 of this Act, any individual who holds a provisional driver's license on September 30,
5 2000, is subject to the license restrictions in effect on that date as long as the
6 provisional license remains in effect and is not affected by the changes in restrictions
7 applicable to provisional licenses enacted under Section 1 of this Act.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2000.