

SENATE BILL 40

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R4

2000 Regular Session  
0lr0063

(PRE-FILED)

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By: **Chairman, Judicial Proceedings Committee (Departmental -  
Transportation)**

Requested: November 3, 1999

Introduced and read first time: January 12, 2000

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Drivers' Schools and Instructors**

3 FOR the purpose of authorizing the Motor Vehicle Administration to suspend, revoke  
4 or refuse to grant or renew the certification of a drivers' school or drivers' school  
5 instructor after a certain period and under certain circumstances; authorizing  
6 the Administration to immediately suspend the certification of a drivers' school  
7 or drivers' school instructor if it determines that there is a danger of certain  
8 harm to the public if the certification is continued; establishing certain  
9 procedures for an immediate suspension of a certification; and generally  
10 relating to the regulation of drivers' schools and drivers' school instructors.

11 BY repealing and reenacting, with amendments,  
12 Article - Transportation  
13 Section 16-506  
14 Annotated Code of Maryland  
15 (1999 Replacement Volume and 1999 Supplement)

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 16-506.

20 (a) The Administration may suspend, revoke, or refuse to grant or renew  
21 certification under the driver education program of any drivers' school or of any  
22 classroom or laboratory instructor of a drivers' school, if it finds that the school or  
23 instructor has:

24 (1) [failed] FAILED to comply with any of the provisions of or any rule or  
25 regulation adopted under:

26 [(1)] (I) This subtitle;

1 [(2)] (II) Title 15, Subtitle 7 of this article, as to drivers' schools; or

2 [(3)] (III) Title 15, Subtitle 8 of this article, as to driving instructors[.];

3 OR

4 (2) BEEN CONVICTED OF A CRIME OF MORAL TURPITUDE.

5 (b) (1) If the Administration refuses to grant or renew a certification under  
6 this subtitle, the applicant may request a hearing under Title 12, Subtitle 2 of this  
7 article.

8 (2) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,  
9 THE Administration may suspend or revoke a certification under this subtitle only  
10 after [a hearing under Title 12, Subtitle 2 of this article] THE OPPORTUNITY TO  
11 REQUEST A HEARING UNDER § 12-203 OF THIS ARTICLE.

12 (C) IF THE ADMINISTRATION DETERMINES THAT THERE IS A DANGER OF  
13 IMMEDIATE, SUBSTANTIAL, AND CONTINUING HARM TO THE PUBLIC IF THE  
14 CERTIFICATION IS CONTINUED PENDING A HEARING, THE ADMINISTRATION SHALL:

15 (1) IMMEDIATELY SUSPEND THE CERTIFICATION;

16 (2) WITHIN 7 DAYS OF A REQUEST FOR A HEARING, GRANT A HEARING  
17 AS PROVIDED IN TITLE 12, SUBTITLE 2 OF THIS ARTICLE; AND

18 (3) AFTER A HEARING, RENDER AN IMMEDIATE DECISION AS TO  
19 WHETHER THE ADMINISTRATION SHALL CONTINUE THE SUSPENSION OR REVOKE  
20 THE CERTIFICATION.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2000.