

SENATE BILL 40

Unofficial Copy  
R4

2000 Regular Session  
0lr0063  
CF 0lr2348

(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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Committee Report: Favorable with amendments  
Senate action: Adopted with floor amendments  
Read second time: February 22, 2000

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CHAPTER \_\_\_\_\_

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

1 classroom or laboratory instructor of a drivers' school, if it finds that the school or  
2 instructor has:

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

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

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

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

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

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

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

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

20 (1) IMMEDIATELY SUSPEND THE CERTIFICATION;

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

23 (3) AFTER A HEARING, RENDER AN IMMEDIATE DECISION AS TO  
24 WHETHER THE ADMINISTRATION SHALL CONTINUE THE SUSPENSION OR REVOKE  
25 ~~OR REVOKE~~ REINSTATE THE CERTIFICATION.

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