HOUSE BILL 141

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Motorcycle License - Mandatory Safety Course**

3 FOR the purpose of requiring an applicant for a Class M provisional license or Class
4   M driver's license to successfully complete a certain motorcycle safety course;
5   requiring that a certain motorcycle safety course be offered throughout the
6   calendar year; providing for the application of this Act; and generally relating to
7   motorcycle licenses and a mandatory safety course.

8 BY repealing and reenacting, with amendments,
9   Article - Transportation
10   Section 16-103(b), 16-111(b), 16-111.1(a), and 16-603
11   Annotated Code of Maryland
12   (1999 Replacement Volume and 2000 Supplement)

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

15 **Article - Transportation**

16 16-103.

17   (b)   [(1)   Except as provided under paragraph (2) of this subsection, the] THE
18 Administration may issue a noncommercial Class B, C, or M license to an individual
19 under the age of 18 if the individual otherwise qualifies for a driver's license under
20 this subtitle.

21   [(2)   The Administration may not issue a Class M license to an individual
22 under the age of 18 years unless the individual has also completed satisfactorily a
23 motorcycle safety course approved under Subtitle 6 of this title.]

24 16-111.

25   (b)   (1)   [An]EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
26 AN applicant is entitled to receive a provisional license if the applicant:

1   [(1)]   (I)   Meets the minimum age required under § 16-103(c)(2) of this
2 subtitle;

3   [(2)]   (II)   Satisfies the learner's instructional permit requirements under
4 § 16-105(d)(2) of this subtitle;

5   [(3)]   (III)   Passes a driver skills or driver road examination administered
6 under this subtitle;

7   [(4)]   (IV)   Surrenders any learner's instructional permit issued to the
8 applicant; and

9   [(5)]   (V)   Pays the fee established under this subtitle.

10   (2)   AN APPLICANT FOR A CLASS M LICENSE IS ENTITLED TO RECEIVE A
11 PROVISIONAL LICENSE IF THE APPLICANT:

12   (I)   MEETS THE REQUIREMENTS FOR A PROVISIONAL LICENSE
13 UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

14   (II)   SUCCESSFULLY COMPLETES A MOTORCYCLE SAFETY COURSE
15 APPROVED BY THE ADMINISTRATION UNDER SUBTITLE 6 OF THIS TITLE.

16 16-111.1.

17   (a)   (1)   [An]EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
18 AN applicant is entitled to receive the driver's license applied for if the applicant:

19   [(1)]   (I)   Passes the examination provided for in this subtitle;

20   [(2)]   (II)   Surrenders the last learner's instructional permit issued to him,
21 if any; and

22   [(3)]   (III)   Pays the fees provided for by this subtitle.

23   (2)   AN APPLICANT FOR A CLASS M LICENSE IS ENTITLED TO RECEIVE
24 THE DRIVER'S LICENSE APPLIED FOR IF THE APPLICANT:

25   (I)   MEETS THE REQUIREMENTS FOR A LICENSE UNDER
26 PARAGRAPH (1) OF THIS SUBSECTION; AND

27   (II)   SUCCESSFULLY COMPLETES A MOTORCYCLE SAFETY COURSE
28 APPROVED BY THE ADMINISTRATION UNDER SUBTITLE 6 OF THIS TITLE.

29 16-603.

30   (a)   The Department and the Administration shall administer the Motorcycle
31 Safety Program.

32   (b)   The Administration, a State or community college, State university, an
33 agency of a political subdivision or any other person approved and designated by the

1 Administration may organize and manage a motorcycle safety training center and
2 may offer motorcycle safety courses at those centers that it operates.

3   (c)   The Administration may operate a mobile training center to provide
4 courses at various locations in the State.

5   (d)   (1)   Subject to the regulations adopted under this subtitle, any resident of
6 this State who possesses a valid Class E or Class M driver's license, a Class E or Class
7 M learner's instructional permit, or is eligible for a Class M learner's instructional
8 permit, may enroll in a course.

9   (2)   A nonresident may apply for and be accepted for enrollment in
10 courses authorized under this subtitle; however, the reimbursement provided under §
11 16-605(b) may not be made for a nonresident trainee.

12   (3)   An eligible individual may take a course more than one time, but the
13 reimbursement provided in § 16-605(b) of this subtitle may only be paid one time for
14 any individual.

15   (4)   For a course that is to be reimbursed under this subtitle, a training
16 center may charge a trainee a reasonable course registration fee.

17   (5)   For a course offered at a training center operated by the
18 Administration, the Administration may collect a reasonable course registration fee
19 established by the Administration.

20   (e)   The courses [may]SHALL be offered throughout the calendar year.

21   (f)   The successful completion of the Administration approved basic motorcycle
22 safety course shall be considered the equivalent of passing the skills and knowledge
23 test required under §§ 16-105 and 16-110 of this title for obtaining a Class M driver's
24 license.

25   (g)   (1)   The Department shall provide a program coordinator to organize and
26 administer all tasks related to the achievement of the purpose of the Motorcycle
27 Safety Program as provided under this subtitle.

28   (2)   The program coordinator shall be experienced in the motorcycle
29 safety field and shall possess those qualifications as may be specified by the
30 Secretary.

31   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
32 construed only prospectively to the issuance of an original Class M license or the
33 issuance of a Class M authorization to an individual already licensed and may not be
34 applied or interpreted to have any effect on or application to any Class M license
35 renewal or to any original Class M license or Class M authorization applied for before
36 the effective date of this Act.

37   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 October 1, 2001.