

SENATE BILL 59

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R4

2001 Regular Session  
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(PRE-FILED)

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

Requested: November 14, 2000  
Introduced and read first time: January 10, 2001  
Assigned to: Judicial Proceedings

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: February 13, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws - Driver Education**

3 FOR the purpose requiring that driving instructors complete a certain program before  
4 being licensed and employed by a drivers' school; providing that an individual  
5 who holds a learner's instructional permit may not take a certain examination  
6 for a provisional license until completing a certain drivers' education program;  
7 requiring the Motor Vehicle Administration to adopt and enforce certain  
8 regulations in consultation with the State Department of Education; modifying  
9 certain definitions; and generally relating to drivers' education and the drivers'  
10 education program.

11 BY repealing and reenacting, with amendments,  
12 Article - Transportation  
13 Section 15-701, 15-709, 15-801, 15-803, 16-105(d), 16-501, and 16-505  
14 Annotated Code of Maryland  
15 (1999 Replacement Volume and 2000 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 15-701.

20 (a) In this subtitle the following words have the meanings indicated.

1 (b) (1) "Drivers' school" means, except as provided in paragraph (2) of this  
2 subsection, any person in the business of giving instruction in the driving of motor  
3 vehicles.

4 (2) "Drivers' school" does not include:

5 (i) Any public school or other noncollegiate educational institution  
6 [approved by the State Board of Education] GIVING INSTRUCTION IN THE DRIVING  
7 OF MOTOR VEHICLES DURING ITS NORMAL SCHOOL HOURS AND NOT CHARGING A  
8 FEE FOR THIS INSTRUCTION ; or

9 (ii) Any college, university, or other institution of postsecondary  
10 education approved by the Maryland Higher Education Commission.

11 (c) "License" means a drivers' school license issued by the Administration  
12 under this subtitle.

13 15-709.

14 A drivers' school may not:

15 (1) Provide or offer to provide any instruction in driving unless the  
16 individual who gives the instruction is a driving instructor employed by it; or

17 (2) Employ any individual as a driving instructor unless that individual:

18 (i) Is licensed to drive under Title 16 of this article; [and]

19 (II) HAS COMPLETED THE INSTRUCTOR CERTIFICATION PROGRAM  
20 APPROVED BY THE ADMINISTRATION; AND

21 [(ii)] (III) Is licensed as a driving instructor under Subtitle 8 of this  
22 title.

23 15-801.

24 (a) In this subtitle the following words have the meanings indicated.

25 (b) "Driving instructor" means any individual who:

26 (1) For compensation, under any form of agreement or arrangement with  
27 a drivers' school, gives or offers to give instruction in the driving of motor vehicles; or

28 (2) [Unless he is acting as an employee of an educational institution  
29 described in § 15-701(b)(2) of this title, otherwise] OTHERWISE gives or offers to give  
30 any other individual instruction in the driving of motor vehicles and receives or  
31 expects to receive compensation for that instruction.

32 (c) "License" means a driving instructor's license issued by the Administration  
33 under this subtitle.

1 15-803.

2 (a) A person may not be licensed under this subtitle unless the person:

3 (1) Is an individual of good reputation and moral character;

4 (2) Is licensed to drive under Title 16 of this article; [and]

5 (3) HAS COMPLETED THE INSTRUCTOR CERTIFICATION PROGRAM  
6 APPROVED BY THE ADMINISTRATION; AND

7 [(3)] (4) Is either:

8 (i) Licensed under Subtitle 7 of this title to conduct a drivers'  
9 school; or

10 (ii) Employed as a driving instructor by a licensed drivers' school.

11 (b) Unless the applicant himself is licensed to conduct a drivers' school, each  
12 application for a license shall contain or be accompanied by the written statement of  
13 the licensed drivers' school by whom the applicant is or will be employed, certifying  
14 that the applicant has been accepted as a driving instructor. The written statement  
15 shall be signed on behalf of the licensed drivers' school by a person authorized under  
16 this title to sign an application for a drivers' school license.

17 (c) If a drivers' school makes a certified statement under this section, the  
18 drivers' school immediately shall notify the Administration of any termination of  
19 employment of the driving instructor.

20 (d) The notification required under subsection (c) of this section shall be made  
21 on the form that the Administration requires.

22 16-105.

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

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

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

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

30 (i) Sooner than 4 months:

31 1. After the individual first obtains the learner's  
32 instructional permit; or



1 inconsistent with this subtitle to implement a standardized driver education program  
2 conducted by [licensed drivers'] DRIVER EDUCATION schools under its jurisdiction.

3 (b) Regulations adopted under this section shall be administered by the  
4 Administration and shall include:

5 (1) Curriculum, equipment, and facility standards for classroom,  
6 laboratory, and on-road instruction phases;

7 (2) Minimum student performance standards for an approved driver  
8 education program[, consisting of at least 30 hours of classroom instruction and at  
9 least 6 hours of highway driving instruction] BASED UPON THE STANDARDIZED  
10 CURRICULUM APPROVED BY THE ADMINISTRATION;

11 (3) Standards for the certification of schools and instructors;

12 (4) A system to evaluate the effectiveness of the driver education  
13 program;

14 (5) Standards governing the required offering of the driver education  
15 program, based on the capacity, enrollment, staff, and facilities of the schools; and

16 (6) Standards for the eligibility of individuals to enroll in the program.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2001.