

SENATE BILL 128

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R4
SB 404/00 - JPR

2001 Regular Session
11r1316

By: **Senator Dyson**

Introduced and read first time: January 17, 2001

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - License Restriction for a Minor - Prohibition Against Minors**
3 **as Passengers**

4 FOR the purpose of requiring the Motor Vehicle Administration to impose a certain
5 restriction on the original driver's license of a minor which prohibits the minor
6 from transporting individuals under a certain age as passengers; requiring the
7 restriction to be in effect for a certain period of time; exempting certain
8 passengers from the provisions of this Act; authorizing a police officer to enforce
9 this Act only as a secondary violation; providing that a violation of this Act is a
10 moving violation for the purpose of awarding points against a driver's license;
11 and generally relating to a restriction on the original driver's license of a minor.

12 BY renumbering

13 Article - Transportation
14 Section 16-113(h), (i), and (j), respectively
15 to be Section 16-113(i), (j), and (k), respectively
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2000 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article - Transportation
20 Section 16-113(a)
21 Annotated Code of Maryland
22 (1999 Replacement Volume and 2000 Supplement)

23 BY adding to

24 Article - Transportation
25 Section 16-113(h)
26 Annotated Code of Maryland
27 (1999 Replacement Volume and 2000 Supplement)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
29 MARYLAND, That Section(s) 16-113(h), (i), and (j), respectively, of Article -

1 Transportation of the Annotated Code of Maryland be renumbered to be Section(s)
2 16-113(i), (j), and (k), respectively.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
4 read as follows:

5 **Article - Transportation**

6 16-113.

7 (a) (1) In addition to the vision and other restrictions provided for in this
8 subtitle, when it issues a driver's license, the Administration for good cause may
9 impose on the licensee:

10 (i) Any restrictions suitable to the licensee's driving ability with
11 respect to the type of special mechanical control devices required on motor vehicles
12 that the licensee may drive;

13 (ii) An alcohol restriction which prohibits the licensee from driving
14 or attempting to drive a motor vehicle while having alcohol in the licensee's blood; and

15 (iii) Any other restrictions applicable to the licensee that the
16 Administration determines appropriate to assure the safe driving of a motor vehicle
17 by the licensee.

18 (2) An alcohol restriction that prohibits the licensee from driving or
19 attempting to drive a motor vehicle while having alcohol in the licensee's blood may,
20 as described in subsections (b) and (g) of this section, include a restriction that
21 prohibits the licensee from driving or attempting to drive a motor vehicle unless the
22 licensee is a participant in the Ignition Interlock System Program established under
23 § 16-404.1 of this title.

24 (H) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II)2 OF THIS
25 PARAGRAPH, THE ADMINISTRATION SHALL IMPOSE ON EACH LICENSEE UNDER THE
26 AGE OF 18 YEARS A RESTRICTION THAT PROHIBITS THE LICENSEE FROM DRIVING A
27 MOTOR VEHICLE WITH A PASSENGER UNDER THE AGE OF 18 YEARS.

28 (II) THE RESTRICTION IMPOSED UNDER SUBPARAGRAPH (I) OF
29 THIS PARAGRAPH:

30 1. SHALL BE IN EFFECT FROM THE DATE THE LICENSE IS
31 ORIGINALLY ISSUED UNTIL THE 181ST DAY AFTER THE LICENSE WAS ISSUED; AND

32 2. DOES NOT APPLY TO A PASSENGER WHO IS A SPOUSE,
33 DAUGHTER, SON, STEPDAUGHTER, STEPSON, SISTER, BROTHER, STEPSISTER, OR
34 STEPBROTHER OF THE LICENSEE.

35 (2) A POLICE OFFICER MAY ENFORCE THE PROVISIONS OF THIS
36 SUBSECTION ONLY AS A SECONDARY ACTION WHEN THE POLICE OFFICER DETAINS A
37 DRIVER FOR A SUSPECTED VIOLATION OF ANOTHER PROVISION OF THE CODE.

1 (3) A VIOLATION OF THIS SUBSECTION IS A MOVING VIOLATION FOR THE
2 PURPOSES OF § 16-402 OF THIS TITLE.

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