

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

Senate Bill 105

(Chairman, Judicial Proceedings Committee)  
(By Request – Departmental – Transportation)

Judicial Proceedings

Environmental Matters

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**Vehicle Law - Commercial Driver's License and Instructional Permit - Minimum Age**

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This departmental bill repeals the authority of the Motor Vehicle Administration (MVA) to issue a commercial driver's license or a commercial driver's instructional permit to an individual under the age of 18. It also repeals the authority of the MVA to adopt regulations for intrastate motor carrier transportation that could authorize a driver to be younger than 18 years of age.

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**Fiscal Summary**

**State Effect:** This bill would not substantively change State activities or operations. However, enactment of the bill may ensure continued receipt of \$2.4 million in annual federal funding.

**Local Effect:** None.

**Small Business Effect:** The Department of Transportation has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** Except as specified by statute, the MVA is prohibited from issuing a commercial driver's license or a commercial driver's instructional permit to any individual who is not a resident of Maryland and who is not at least 21. The MVA is authorized to issue a Class A, B, or C commercial driver's license or instructional permit

to an individual under 21, if the individual is at least 18. Such a license may not include a hazardous materials endorsement, may not be valid for commercial interstate operation except as specified in federal regulation, and must be valid for commercial intrastate and all noncommercial operation.

The MVA is authorized to issue a Class B commercial driver's license or instructional permit to an individual under 18 if the individual is at least 16 and has satisfactorily completed a required driver's education course. The individual is exempt from the required laboratory instruction, but not the required classroom instruction, if the individual has been licensed regularly to drive in another state for at least six months and demonstrates that the driving experience is sufficient to justify the exemption. A commercial driver's license or instructional permit issued to an individual under 18, but at least 16, may not include a hazardous materials endorsement or a passenger vehicle endorsement. Such a license may not be valid for commercial interstate operation except as specified by federal regulation, and shall be valid for commercial intrastate and all noncommercial operation. The MVA is also authorized to issue a commercial driver's license to an applicant domiciled in a foreign country, consistent with federal regulations.

Regulations adopted by the MVA for intrastate motor carrier transportation may not require that a driver be older than 18, with the possible exception of regulations relating to the qualifications and the service hours of a commercial driver in interstate commerce, a commercial driver transporting hazardous materials requiring placarding under federal regulations, or a commercial driver of a vehicle designed to transport 16 or more passengers, including the driver.

**Background:** Maryland annually receives federal grants, averaging about \$2.4 million, from the Federal Motor Carrier Safety Administration under the Motor Carrier Safety Assistance Program for commercial vehicle safety enforcement. A condition of this grant money is that State law be consistent with federal motor carrier safety regulations. Federal regulations currently require an individual to be at least 21 to operate a commercial vehicle. However, federal guidelines permit states to issue a commercial driver's license (for intrastate use only) to a person who is at least 18.

The MVA advises that there is currently one individual in the State who is younger than 18 and possesses a commercial driver's license.

**State Fiscal Effect:** The MVA uses a manual process to determine the age of an applicant for a commercial driver's license. Passage of the bill would not create a fiscal impact for the MVA, as it does not require any change in these manual processes.

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 3, 2003  
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