

HOUSE BILL 41

Unofficial Copy
R4

2004 Regular Session
4r0747

(PRE-FILED)

By: **Delegates McMillan, Parker, Burns, Sossi, Impallaria, Kach, McConkey,
Boschert, Dwyer, Cluster, Boteler, Leopold, Shank, Miller, Krebs,
Parrott, Gilleland, McDonough, Edwards, and Kelly**

Requested: October 16, 2003

Introduced and read first time: January 14, 2004

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Driver's Licensing of Illegal Aliens - Prohibition**

3 FOR the purpose of prohibiting the Motor Vehicle Administration from issuing a
4 driver's license to an individual who is not lawfully present in the United States
5 in accordance with federal law and regulations; and generally relating to
6 drivers' licenses and individuals who are not lawfully present in the United
7 States.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 16-103.1
11 Annotated Code of Maryland
12 (2002 Replacement Volume and 2003 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 16-103.1.

17 The Administration may not issue a driver's license to an individual:

18 (1) During any period for which the individual's license to drive is
19 revoked, suspended, refused, or canceled in this or any other state, unless the
20 individual is eligible for a restricted license under § 16-113(e) of this subtitle;

21 (2) Who is an habitual drunkard, habitual user of narcotic drugs, or
22 habitual user of any other drug to a degree that renders the individual incapable of
23 safely driving a motor vehicle;

1 (3) Who previously has been adjudged to be suffering from any mental
2 disability or mental disease and who, at the time of application, has not been
3 adjudged competent;

4 (4) Who is required by this title to take an examination, unless the
5 individual has passed the examination;

6 (5) Whose driving of a motor vehicle on the highways the Administration
7 has good cause to believe would be inimical to public safety or welfare;

8 (6) Who is unable to exercise reasonable control over a motor vehicle due
9 to disease or a physical disability, including the loss of an arm or leg or both, except
10 that, if the individual passes the examination required by this title, the
11 Administration may issue the individual a restricted license requiring the individual
12 to wear a workable artificial limb or other similar body attachment;

13 (7) Who is unable to understand highway warning or direction signs
14 written in the English language;

15 (8) Who is unable to sign the individual's name for identification
16 purposes;

17 (9) Who is 70 years old or older and applying for a new license, unless
18 the applicant presents to the Administration:

19 (i) Proof of the individual's previous satisfactory operation of a
20 motor vehicle; or

21 (ii) A written certification acceptable to the Administration from a
22 licensed physician attesting to the general physical and mental qualifications of the
23 applicant; [or]

24 (10) WHO IS NOT LAWFULLY PRESENT IN THE UNITED STATES IN
25 ACCORDANCE WITH FEDERAL LAW AND REGULATIONS; OR

26 [(10)] (11) Who otherwise does not qualify for a license under this title.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2004.