By: Senators Dyson, Middleton, Forehand, Lawlah, Schrader, Ruben, Kelley, Frosh, Hooper, Della, and DeGrange

Introduced and read first time: January 28, 2004 Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 3

Vehicle Laws - Provisional Driver's License Restriction for a Minor -Prohibition against Minors as Passengers

4 FOR the purpose of requiring the Motor Vehicle Administration to impose a certain

- 5 restriction on the original provisional driver's license of a minor that prohibits
- 6 the minor from transporting individuals under a certain age as passengers;
- 7 requiring the restriction to be in effect for a certain period of time; exempting
- 8 certain passengers from the provisions of this Act; authorizing a police officer to

9 enforce this Act only as a secondary violation; providing that a violation of this

- 10 Act is a moving violation for the purpose of awarding points against a driver's
- 11 license; and generally relating to a restriction on the original provisional driver's
- 12 license of a minor.

13 BY adding to

- 14 Article Transportation
- 15 Section 16-113(d-2)
- 16 Annotated Code of Maryland
- 17 (2002 Replacement Volume and 2003 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

19 MARYLAND, That the Laws of Maryland read as follows:

20

Article - Transportation

21 16-113.

(D-2) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II)2 OF THIS
PARAGRAPH, THE ADMINISTRATION SHALL IMPOSE ON EACH PROVISIONAL DRIVER'S
LICENSE ISSUED TO A LICENSEE UNDER THE AGE OF 18 YEARS A RESTRICTION THAT
PROHIBITS THE LICENSEE FROM DRIVING A MOTOR VEHICLE WITH A PASSENGER
UNDER THE AGE OF 18 YEARS.

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

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11.SHALL BE IN EFFECT FROM THE DATE THE PROVISIONAL2LICENSE IS ORIGINALLY ISSUED UNTIL THE 181ST DAY AFTER THE PROVISIONAL3LICENSE WAS ISSUED; AND

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

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

10 (3) A VIOLATION OF THIS SUBSECTION IS A MOVING VIOLATION FOR THE 11 PURPOSES OF § 16-402 OF THIS TITLE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 13 October 1, 2004.

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