

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 33

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

Judicial Proceedings

Environmental Matters

**Motor Vehicle Administration - Provisional Licenses - Issuance of Drivers'
Licenses and License Sanctions**

This departmental bill authorizes the Motor Vehicle Administration (MVA) to issue full driver's licenses to holders of provisional licenses who have been convicted of moving violations after conclusion of the provisional driving period, but before the drivers have been able to attain full driver's licenses. The bill alters the definition of "offense" to mean a moving violation committed by a provisional license holder who was convicted of the violation and was not eligible for a full license at the time of the violation.

Fiscal Summary

State Effect: The bill's requirements could be handled within existing resources.

Local Effect: None.

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

Analysis

Current Law: A driver's license applicant who holds a learner's instructional permit or who has been a licensed driver for less than 18 months in another state, country, or in the U.S. armed forces, is entitled to receive a provisional license if the applicant:

- meets the minimum age requirement;

- satisfies the learner's instructional permit requirements;
- passes a driver's skill examination;
- surrenders any issued learner's permit; and
- pays the required fee.

A provisional license may only be issued to an individual who is at least the age of 16 years and one month. The provisional license must be clearly identified as such. Generally, an individual who holds a provisional license may not receive a full license sooner than 18 months after the individual first obtains the provisional license. However, under specified circumstances, the MVA may issue a provisional license for a period of less than 18 months to an individual who has been licensed to drive in another state, country, or by the U.S. armed forces.

If a provisional license holder has been convicted of a moving violation, he or she may not receive a full license sooner than 18 months after the date of the moving violation. A provisional driver's license holder who is convicted of a moving violation is subject to the sanctions that apply to the specific moving violation. In addition, for a first conviction, the MVA must require the license holder to attend a driver improvement program. For a second conviction, the MVA may suspend the holder's provisional license for a maximum of 30 days. For a third or subsequent conviction of a moving violation during the provisional license period, the MVA may suspend or revoke the holder's license for up to 180 days.

A provisional license issued to a driver at least 21 years old expires on the licensee's birth date in the fifth year following issuance. A provisional license issued to a driver under 21 years expires 60 days after the holder's twenty-first birthday. A provisional license is renewable.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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n/jr

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