
By: **The Speaker (By Request - Administration) and Delegates Aumann, Bartlett, Bates, Benson, Bohanan, Boschert, Boteler, Boutin, Bromwell, Bronrott, Carter, Cluster, Cryor, DeBoy, Eckardt, Edwards, Elliott, Elmore, Frank, Fulton, Haddaway, Hammen, Hogan, James, Jameson, Kach, Kelly, Krebs, Leopold, Mandel, Marriott, McComas, McConkey, McDonough, McHale, McKee, McMillan, Miller, Murray, Myers, Nathan-Pulliam, O'Donnell, Paige, Parrott, Shank, Shewell, Smigiel, Sossi, Stocksdale, Stull, Taylor, Walkup, and Weldon**

Introduced and read first time: January 25, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Learner's Instructional Permits - Requirements**

3 FOR the purpose of altering the time an individual is required to hold a learner's
4 instructional permit before taking a driver skills examination or driver road
5 examination to obtain a provisional driver's license; and generally relating to
6 learner's instructional permits.

7 BY repealing and reenacting, with amendments,
8 Article - Transportation
9 Section 16-105
10 Annotated Code of Maryland
11 (2002 Replacement Volume and 2004 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Transportation**

15 16-105.

16 (a) (1) Any individual who desires to obtain an original driver's license
17 under this subtitle or to be licensed in a class for which the individual is not already
18 licensed under this subtitle shall apply to the Administration for the desired driver's
19 license.

20 (2) Except as provided in subsection (f) of this section, before issuing a
21 driver's license, the Administration shall issue to each applicant a learner's

1 instructional permit. The learner's instructional permit shall identify clearly the class
2 of license for which the applicant has applied.

3 (b) (1) The holder of a learner's instructional permit may drive the same
4 vehicle and combinations of vehicles as may a holder of the class of driver's license for
5 which the permit holder has applied, but only while accompanied by and under the
6 immediate supervision of an individual who:

7 (i) Is at least 21 years old;

8 (ii) Has been licensed for at least 3 years in this State or in another
9 state to drive vehicles of the class then being driven by the holder of the learner's
10 instructional permit; and

11 (iii) Unless the vehicle is a motorcycle, is seated beside the holder of
12 the learner's instructional permit.

13 (2) The individual supervising the holder of the learner's instructional
14 permit under paragraph (1) of this subsection is the only individual allowed in the
15 front seat of a motor vehicle with the permit holder while the permit holder is driving.

16 (c) The holder of a learner's instructional permit for a motorcycle may drive
17 the motorcycle with another individual on it only if the other individual is one
18 described in subsection (b)(1)(i) and (ii) of this section.

19 (d) (1) This subsection applies to an individual who:

20 (i) Seeks to obtain an original driver's license under this subtitle;
21 and

22 (ii) Does not qualify for a learner's instructional permit under
23 subsection (e) of this section.

24 (2) An individual who holds a learner's instructional permit may not
25 take a driver skills examination or driver road examination for a provisional license:

26 (i) Sooner than [4] 6 months:

27 1. After the individual first obtains the learner's
28 instructional permit; or

29 2. After the date on which the individual committed a
30 moving violation for which the individual was convicted;

31 (ii) Until after successful completion of the driver education
32 program approved under Subtitle 5 of this title, consisting of at least 30 hours of
33 classroom instruction and at least 6 hours of highway driving instruction; and

34 (iii) Unless the individual submits, in accordance with the
35 Administration's regulations, a completed skills log book signed by:

1 (g) An individual holding a learner's instructional permit issued under this
2 section may not drive or attempt to drive a motor vehicle on any highway in this State
3 in violation of any of the provisions of this section.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
5 effect October 1, 2005.