
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, Stocksdales, Stull, Taylor, Walkup, and Weldon**

Introduced and read first time: January 25, 2005
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 15, 2005

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Learner's Instructional Permits ~~Requirements~~ and**
3 **Provisional Licenses - Requirements and Task Force**

4 FOR the purpose of altering the minimum age required for eligibility for a provisional
5 license; altering the time an individual is required to hold a learner's
6 instructional permit before taking a driver skills examination or driver road
7 examination to obtain a provisional driver's license; establishing a Task Force to
8 Study Driver Education and Teen Driving Issues in Maryland; providing for the
9 membership of the Task Force; requiring the Governor to appoint the chair of
10 the Task Force; requiring the Task Force to examine certain issues related to
11 driver education and teen driving in Maryland and to make certain
12 recommendations; providing for reimbursement for the expenses of a member of
13 the Task Force; providing for the staff of the Task Force; requiring the Task
14 Force to report to the Governor and the General Assembly by a certain date;
15 providing for the termination of certain provisions of this Act; and generally
16 relating to ~~learner's instructional permits.~~ driver licensing and the Task Force to
17 Study Driver Education and Teen Driving Issues in Maryland.

18 BY repealing and reenacting, with amendments,
19 Article - Transportation
20 Section 16-103(c) and 16-105

1 Annotated Code of Maryland
2 (2002 Replacement Volume and 2004 Supplement)

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

5 **Article - Transportation**

6 16-103.

7 (c) The Administration may not issue:

8 (1) A learner's instructional permit to any individual who has not
9 reached the age of 15 years, 9 months;

10 (2) A provisional license to any individual who has not reached the age of
11 16 years, [1 month] 2 MONTHS; or

12 (3) A license to any individual who has not reached the age of 17 years, 7
13 months.

14 16-105.

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

19 (2) Except as provided in subsection (f) of this section, before issuing a
20 driver's license, the Administration shall issue to each applicant a learner's
21 instructional permit. The learner's instructional permit shall identify clearly the class
22 of license for which the applicant has applied.

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

27 (i) Is at least 21 years old;

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

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

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

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

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

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

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

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

11 (i) Sooner than [4] ~~6~~ 5 months:

12 1. After the individual first obtains the learner's
13 instructional permit; or

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

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

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

21 1. Each supervising driver who certifies that the individual
22 has satisfactorily demonstrated a required skill; and

23 2. If a signature of a parent, guardian, or other person is
24 required under § 16-107 of this subtitle, the parent, guardian, or other person who
25 signs the individual's application under that section.

26 (3) A learner's instructional permit issued to an individual described in
27 paragraph (1) of this subsection expires one year after the date of issuance.

28 (e) (1) This subsection only applies to an individual who holds a license and
29 who seeks a different class license to drive a motor vehicle that, under the individual's
30 current license, the individual is not authorized to drive.

31 (2) The holder of a learner's instructional permit may not take the
32 driver's license examination sooner than 14 days after the permit is issued.

33 (3) The 14 days' requirement may be waived if a subsequent learner's
34 instructional permit is issued or applied for.

1 (4) A learner's instructional permit issued to an individual described in
2 paragraph (1) of this subsection expires 180 days after date of issuance.

3 (f) (1) Subject to paragraph (3) of this subsection, the Administration may
4 issue a driver's license, without first issuing a learner's instructional permit and
5 without a waiting period, to any individual who:

6 (i) Has been licensed regularly to drive in this State, in another
7 state or country, or by the armed forces of the United States, if the Administration is
8 satisfied that the applicant's experience in driving vehicles of the type that would be
9 authorized by the license class applied for is sufficient to justify issuance of the
10 license without further training; or

11 (ii) Has successfully completed the Administration approved basic
12 motorcycle safety course.

13 (2) The Administration may:

14 (i) Examine the applicant's driving as provided in § 16-110 of this
15 subtitle; or

16 (ii) Issue a provisional license, if appropriate, under § 16-111(e) of
17 this subtitle.

18 (3) An individual who never held a driver's license issued by the
19 Administration or by another state, but who otherwise may obtain a license under
20 paragraph (1)(i) of this subsection without first obtaining a learner's instructional
21 permit, shall successfully complete a 3-hour alcohol and drug education program
22 established by the Administration under § 16-212.1 of this title before qualifying for
23 a driver's license.

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

27 SECTION 2. AND BE IT FURTHER ENACTED, That ~~this Act shall take~~
28 ~~effect October 1, 2005.~~;

29 (a) There is a Task Force to Study Driver Education and Teen Driving Issues
30 in Maryland.

31 (b) The Task Force shall consist of the following members:

32 (1) three members of the House of Delegates, two of whom serve on the
33 House Environmental Matters Committee, appointed by the Speaker of the House;

34 (2) two members of the Senate of Maryland, one of whom serves on the
35 Senate Judicial Proceedings Committee, appointed by the President of the Senate;

- 1 (3) a representative of the Motor Vehicle Administration, appointed by
2 the Motor Vehicle Administrator;
- 3 (4) two representatives of the Department of Transportation, appointed
4 by the Secretary of Transportation;
- 5 (5) a representative of the Department of State Police, appointed by the
6 Secretary of State Police; and
- 7 (6) the following members, appointed by the Governor:
- 8 (i) three citizens of the State who are parents;
- 9 (ii) three citizens of the State who are students;
- 10 (iii) a local law enforcement officer;
- 11 (iv) a local school official;
- 12 (v) a juvenile master of a circuit court; and
- 13 (vi) a representative of AAA Mid-Atlantic.
- 14 (c) The Governor shall appoint the chair of the Task Force.
- 15 (d) The Task Force shall:
- 16 (1) examine how new drivers in the State are trained;
- 17 (2) examine different models of driver education used in other states;
- 18 (3) examine the effectiveness of:
- 19 (i) the State's highway driving requirements for persons who hold
20 a learner's instructional permit; and
- 21 (ii) Internet driver education course work and driver training;
- 22 (4) recommend methods of better involving parents in driver education
23 programs for teenagers;
- 24 (5) determine whether the minimum age requirements established
25 under the State's graduated driver's license program are appropriate; and
- 26 (6) recommend any appropriate changes to driver education
27 requirements in the State.
- 28 (e) A member of the Task Force:
- 29 (1) may not receive compensation; but

1 (2) is entitled to reimbursement for expenses under the Standard State
2 Travel Regulations, as provided in the State budget.

3 (f) The Department of Transportation, the Motor Vehicle Administration, the
4 State Highway Administration, and the Department of State Police jointly shall
5 provide staff support for the Task Force.

6 (g) The Task Force shall issue a final report of its findings and
7 recommendations to the Governor and, subject to § 2-1246 of the State Government
8 Article, to the General Assembly on or before November 30, 2005.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 June 1, 2005. Section 2 of this Act shall remain effective for a period of 6 months and,
11 at the end of November 30, 2005, with no further action required by the General
12 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.