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By: **Delegate Holmes**

Introduced and read first time: January 28, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Driver Examination - Practice Driving Requirements**

3 FOR the purpose of requiring an individual who holds a learner's instructional  
4 driving permit and seeks to take a driver skills or driver road examination to  
5 first complete a certain amount of supervised driving practice with a driver  
6 education instructor; requiring that at least certain portions of the practice  
7 driving required by this Act occur during certain hours and under certain  
8 weather conditions; providing that driving practice time be credited toward  
9 fulfillment of certain requirements in a certain manner; requiring a certain  
10 skills log to be signed by a certain individual; and generally relating to practice  
11 driving requirements that must be fulfilled before an individual may take a  
12 driver skills or driver road examination.

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 16-105(d)  
16 Annotated Code of Maryland  
17 (2002 Replacement Volume and 2004 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 16-105.

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

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

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

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

1 (i) Sooner than 4 months:

2 1. After the individual first obtains the learner's  
3 instructional permit; or

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

6 (ii) Until after successful completion of [the]:

7 1. THE driver education program approved under Subtitle 5  
8 of this title, consisting of at least 30 hours of classroom instruction and at least 6  
9 hours of highway driving instruction; AND

10 2. SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, AT  
11 LEAST 40 HOURS OF BEHIND-THE-WHEEL DRIVING PRACTICE SUPERVISED BY A  
12 DRIVER EDUCATION INSTRUCTOR, AS DEFINED IN § 16-502(C) OF THIS TITLE; and

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

15 1. Each supervising driver who certifies that the individual  
16 has satisfactorily demonstrated a required skill AND HAS COMPLETED THE DRIVING  
17 PRACTICE REQUIREMENTS OF ITEM (II)2 OF THIS PARAGRAPH; and

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

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

23 (4) (I) OF THE 40 HOURS OF SUPERVISED DRIVING PRACTICE  
24 REQUIRED UNDER PARAGRAPH (2)(II)2 OF THIS SUBSECTION, AT LEAST:

25 1. 10 HOURS SHALL OCCUR DURING THE PERIOD BEGINNING  
26 30 MINUTES BEFORE SUNSET AND ENDING 30 MINUTES AFTER SUNRISE;

27 2. 10 HOURS SHALL OCCUR DURING RAIN, SNOW, SLEET,  
28 FOG, OR OTHER INCLEMENT WEATHER THAT THE DRIVER EDUCATION INSTRUCTOR  
29 DETERMINES WOULD PROVIDE VALUABLE DRIVING EXPERIENCE BUT WOULD NOT  
30 BE UNREASONABLY DANGEROUS FOR THE DRIVER BEING SUPERVISED; AND

31 3. 10 HOURS SHALL OCCUR ON A MONDAY THROUGH FRIDAY,  
32 OTHER THAN ON A STATE OR FEDERAL HOLIDAY, DURING THE PERIOD:

33 A. BEGINNING AT 7:00 A.M. AND ENDING AT 9:30 A.M.; OR

34 B. BEGINNING AT 3:30 P.M. AND ENDING AT 7:00 P.M.

1                    (II)        THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS  
2 PARAGRAPH MAY BE FULFILLED CONCURRENTLY, AND ANY SUPERVISED DRIVING  
3 PRACTICE THAT IS APPLICABLE TO MORE THAN ONE OF THE REQUIREMENTS  
4 SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE CREDITED TOWARD  
5 FULFILLMENT OF EACH OF THE REQUIREMENTS TO WHICH IT APPLIES.

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