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By: **Senators Dyson, Frosh, Middleton, Hollinger, Miller, Forehand, Britt, Colburn, Della, Garagiola, Grosfeld, Hafer, Hogan, Hooper, Kelley, Klausmeier, Lawlah, Munson, Stone, Teitelbaum, Conway, and DeGrange DeGrange, Green, Schrader, and Giannetti**

Introduced and read first time: January 14, 2005  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: February 23, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws - Provisional Driver's License Restriction for a Minor -**  
3 **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 2004 Supplement)

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

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**Article - Transportation**

2 16-113.

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

8 (II) THE RESTRICTION IMPOSED UNDER SUBPARAGRAPH (I) OF  
9 THIS PARAGRAPH:

10 1. SHALL BE IN EFFECT FROM THE DATE THE PROVISIONAL  
11 LICENSE IS ORIGINALLY ISSUED UNTIL THE 181ST DAY AFTER THE PROVISIONAL  
12 LICENSE WAS ISSUED; AND

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

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

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

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