

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 242

(The Speaker, *et al.*) (By Request – Administration)

Environmental Matters

Judicial Proceedings

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Vehicle Laws - Learner's Instructional Permits and Provisional Licenses -  
Requirements and Task Force

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This Administration bill lengthens the period of time before a holder of a learner's instructional permit can apply for a provisional driver's license, alters the age at which the Motor Vehicle Administration (MVA) can issue an individual a provisional driver's license, and establishes a Task Force to Study Driver Education and Teen Driving Issues in Maryland. The task force terminates November 30, 2005.

The bill takes effect June 1, 2005.

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Fiscal Summary

**State Effect:** Potential increase in Transportation Trust Fund (TTF) expenditures in FY 2006 only for computer reprogramming costs. Staffing for the task force and travel reimbursements could be handled with existing resources. Revenues would not be affected.

**Local Effect:** None.

**Small Business Effect:** The Administration has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. The attached assessment does not reflect amendments to the bill.

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## **Analysis**

**Bill Summary:** The period of time before a holder of an instructional permit can apply for a provisional driver's license is lengthened to five months. Thus, a permit holder can only apply for a provisional driver's license five months after: (1) first receiving the learner's instructional permit; or (2) committing a moving violation which resulted in a conviction. The MVA may not issue a provisional license to an individual who is younger than 16 years, 2 months.

The Task Force to Study Driver Education and Teen Driving Issues in Maryland must study:

- how new drivers in the State are trained;
- different models of driver education used in other states;
- the effectiveness of the State's highway driving requirements for holders of a learner's instructional permit; and
- Internet driver education.

The task force must recommend methods of better involving parents in driver education programs for teens, determine whether the age requirements under the State's graduated license system (GLS) are appropriate, and recommend any appropriate changes to State driver education requirements.

The Maryland Department of Transportation (MDOT), the MVA, the State Highway Administration, and the Department of State Police must provide staffing support for the task force. A final report is due to the Governor and the General Assembly by November 30, 2005.

**Current Law:** An individual who holds a learner's instructional permit may not take a driver skills examination or driver road examination for a provisional license sooner than four months after:

- the date the permit holder first obtains the learner's instructional permit; or
- the date the permit holder committed a moving violation for which the individual was convicted.

The MVA may not issue a provisional license to an individual who is younger than 15 years, 1 month.

**Background:** Teenagers, who hold the majority of learner's permits, have a higher risk of being in an accident than older drivers, primarily due to inexperience. According to the *Journal of Safety Research*, 20% of 16-year-old drivers will be involved in an accident in their first year of driving, with the highest accident rate in the first month.

Chapter 483 of 1998 established the provisional driver's licensing system, which became effective on July 1, 1999. The National Traffic Safety Administration rates the Maryland program as acceptable. According to the Insurance Institute for Highway Safety, all 50 states and the District of Columbia offer a learner's permit. In addition, 40 states and the District of Columbia have a three-stage GLS: a learner's permit, an intermediate or provisional license, and a permanent license. The restrictions placed on the intermediate license and learner's permit differ from state to state. Such restrictions include passenger restrictions, night driving restrictions, and requiring supervision while driving.

The minimum time between receiving a learner's permit and eligibility to apply for a provisional or full license varies by state:

- 30 states and the District of Columbia require a learner's permit holder to have a permit for six months before eligibility for a license, while 6 more states have waiting periods of nine months to a year;
- 7 states have waiting periods from two to five months; and
- 6 states (Kansas, Montana, Nebraska, New Hampshire, New York, and Utah) have no mandatory waiting period between receiving a learner's permit and eligibility to apply for a driver's license, while Wyoming has a waiting period of only 10 days. Of these, only Montana and Wyoming have no requirements for supervised driving before graduating to the next stage if the learner's permit holder is younger than 18.

**State Expenditures:** Task force travel reimbursements are assumed to be minimal, and both travel reimbursements and staffing could be handled with existing resources. The MVA estimates that it would cost \$26,000 to make external computer reprogramming changes. Legislative Services advises that, if other legislation is passed requiring computer programming changes, economies of scale could be realized and lower reprogramming costs for the MVA system.

**Additional Comments:** MDOT advises that a group within the department is studying similar issues. The efforts of this task force could therefore be duplicative of that group's work. On the other hand, the group studying these issues could be a resource for the task force.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 209 (The President, *et al.*) (By Request – Administration) – Judicial Proceedings.

**Information Source(s):** Maryland Department of Transportation, *Journal of Safety Research*, Insurance Institute for Highway Safety, National Traffic Safety Administration, Department of Legislative Services

**Fiscal Note History:** First Reader - February 8, 2005  
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