

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 816

(Senator Giannetti)

Judicial Proceedings

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Vehicle Laws - Driver Examination - Practice Driving Requirements

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This bill requires an individual who holds a learner's instructional permit and seeks to obtain an original driver's license to complete at least 60 hours of behind-the-wheel instruction supervised by a driver who has been licensed for at least three years and who is at least 21 years old. Ten of the 60 hours must be night driving (during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise).

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Fiscal Summary

**State Effect:** The bill's changes could be handled with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** An individual seeking to obtain an original driver's license must attend a driver education program consisting of 30 hours of classroom instruction and at least 6 hours of highway driving.

In addition, by regulation, in order for an applicant to obtain a provisional license, a parent, guardian, or supervising driver must submit a completed and signed practice log documenting at least 40 hours of supervised driving.

**Background:** Teenagers, the majority holders of provisional driver's licenses, have a higher risk of being in an accident than older drivers due primarily to inexperience. About 20% of 16-year-old drivers will be involved in an accident in their first year of driving, with the highest accident rate being in the first month.

Night driving is especially hazardous for teenage drivers. While only 15% of miles driven by 16-year-old and 17-year-old drivers occur between 9:00 p.m. and 6:00 a.m., approximately 40% of their fatal crashes occur during this time. Factors that account for this increase can be a greater likelihood of alcohol consumption during these hours, fatigue, and dim lighting conditions.

All 50 states offer a learner's instructional permit. Most states require some amount of supervised driving before proceeding to the next stage. For example:

- 35 states and the District of Columbia require supervised driving;
  - 1 state requires 100 hours;
  - 23 states (including Maryland) require between 40 and 50 hours;
  - 11 require 20 to 39 hours;
  - 1 state requires 12 hours; and
  - 3 states (Nebraska, Oklahoma, and West Virginia) waive their supervised driving requirement if the individual has completed an approved driver's education course, while two states (Georgia and Oregon) reduce the requirement if the driver has completed driver's education; and
- 22 states and the District of Columbia require some night or inclement weather driving before an individual can receive a driver's license. (The District of Columbia requires night driving in the intermediate stage before one can receive an unrestricted driver's license.)

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 395 (Delegate Bronrott, *et al.*) – Environmental Matters.

**Information Source(s):** Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - March 2, 2005  
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