

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 209

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

Judicial Proceedings

Environmental Matters

Vehicle Laws - License to Drive - Requirements

This Administration bill lengthens the period of time, from four to six months, before a holder of a learner's instructional permit can apply for a provisional driver's license. In addition, the bill alters the age at which the Motor Vehicle Administration (MVA) can issue an individual a provisional driver's license or a driver's license.

Fiscal Summary

State Effect: Potential increase in Transportation Trust Fund (TTF) expenditures in FY 2006 only for computer reprogramming costs. 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.

Analysis

Bill Summary: A permit holder can only apply for a provisional driver's license 6 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, 3 months, or a license to an individual who is younger than 17 years, 9 months.

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.

Under the provisional license system, the MVA may not issue a learner's permit to an individual younger than 15 years, 9 months. The MVA may not issue a provisional license to an individual who is younger than 16 years, 1 month, or a license to an individual who is younger than 17 years, 7 months.

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 licensing system: 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: The Motor Vehicle Administration (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 Information

Prior Introductions: None.

Cross File: HB 242 (The Speaker, *et al.*) (By Request – Administration) – Environmental Matters.

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

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