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By: **Delegate Mandel**

Introduced and read first time: February 10, 2006

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration - Drivers' Licenses - Renewal**

3 FOR the purpose of altering the period of time that the driver's license of an  
4 individual who is at least a certain age shall remain valid; requiring an  
5 applicant for license renewal who is at least a certain age to renew the license in  
6 person at an office of the Motor Vehicle Administration; prohibiting the  
7 Administration from renewing the driver's license of an individual under certain  
8 circumstances; requiring the Administration to refer certain individuals who are  
9 refused a driver's license renewal to the Medical Advisory Board; requiring the  
10 Administration to adopt certain regulations; and generally relating to driver's  
11 license renewal by the Motor Vehicle Administration.

12 BY repealing and reenacting, with amendments,  
13 Article - Transportation  
14 Section 16-115  
15 Annotated Code of Maryland  
16 (2002 Replacement Volume and 2005 Supplement)

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

19 **Article - Transportation**

20 16-115.

21 (a) (1) (I) A license issued under this title to a driver WHO IS at least 21  
22 years old AND IS UNDER THE AGE OF 71 shall expire on the birth date of the licensee  
23 in the fifth year following the issuance of the license.

24 (II) A LICENSE ISSUED UNDER THIS TITLE TO A DRIVER WHO IS AT  
25 LEAST 71 YEARS OLD SHALL EXPIRE ON THE BIRTH DATE OF THE LICENSEE IN THE  
26 SECOND YEAR FOLLOWING THE ISSUANCE OF THE LICENSE.

27 (2) A license issued under this title to a driver under the age of 21 years  
28 shall expire 60 days after the driver's 21st birthday.

1 (3) A license is renewable on the presentation of an application, the  
2 payment of the renewal fee required by § 16-111.1 of this subtitle, and satisfactory  
3 completion of the examination required or authorized by subsection (h) of this section:

4 (i) Within 6 months before its expiration; or

5 (ii) When a driver qualifies for a corrected license issued under §  
6 16-114.1(c) of this subtitle.

7 (4) (I) Except as provided in SUBPARAGRAPH (II) OF THIS PARAGRAPH  
8 AND subsection (e) of this section, the Administration may not renew an individual's  
9 license for more than one consecutive term without requiring the individual to appear  
10 in person at an office of the Administration.

11 (II) THE ADMINISTRATION MAY NOT RENEW A LICENSE OF AN  
12 INDIVIDUAL WHO IS AT LEAST 66 YEARS OLD WITHOUT REQUIRING THE INDIVIDUAL  
13 TO APPEAR IN PERSON AT AN OFFICE OF THE ADMINISTRATION.

14 (5) (I) THE ADMINISTRATION MAY NOT RENEW A LICENSE OF AN  
15 INDIVIDUAL IF THE ADMINISTRATION HAS GOOD CAUSE TO BELIEVE THAT THE  
16 DRIVING OF A VEHICLE BY THE INDIVIDUAL WOULD BE CONTRARY TO PUBLIC  
17 SAFETY AND WELFARE BECAUSE OF AN EXISTING OR SUSPECTED MENTAL OR  
18 PHYSICAL DISABILITY.

19 (II) THE ADMINISTRATION SHALL REFER AN INDIVIDUAL WHO IS  
20 REFUSED A LICENSE RENEWAL UNDER THIS PARAGRAPH TO THE MEDICAL  
21 ADVISORY BOARD UNDER § 16-118 OF THIS SUBTITLE.

22 (III) THE ADMINISTRATION SHALL ADOPT REGULATIONS  
23 ESTABLISHING THE CIRCUMSTANCES THAT MAY CONSTITUTE GOOD CAUSE UNDER  
24 THIS PARAGRAPH.

25 (b) At least 60 days before a license expires, the Administration shall mail to  
26 each licensee, at the last address of the licensee shown in the records of the  
27 Administration, notice of the date on which the license will expire.

28 (c) The Administration may renew a license within 1 year after the expiration  
29 date without requiring a driving test.

30 (d) (1) A license held by a member of the armed forces of the United States  
31 who is absent from this State on active service in the armed forces of the United  
32 States, or a dependent of the member who is residing with the member outside the  
33 State, shall remain in full force and effect during such absence.

34 (2) The license also shall remain in effect, if it would otherwise have  
35 expired under this section, for a period of 30 days following the date of the licensee's  
36 return to this State, or the member's discharge or separation from active service:

1 (i) If the licensee has in the licensee's immediate possession,  
2 together with the licensee's driver's license, papers indicating the member's active  
3 service outside this State or the member's discharge or separation; and

4 (ii) If the license is not otherwise suspended, revoked, or canceled  
5 under this title during the 30-day period.

6 (e) If a licensee is absent from this State for cause, other than as provided in  
7 subsection (d) of this section, and is unable to renew his license in the manner  
8 required by this section, the licensee may renew by mail to the Administration. The  
9 renewal application shall be accompanied by the prescribed fee and a statement  
10 giving the reason for and the expected length of the absence. On receipt of the  
11 application, the Administration may issue a regular license which bears a photo or a  
12 notation that it is valid without a photo until 15 days after the licensee first returns  
13 to this State.

14 (f) An individual may not drive a motor vehicle on any highway in this State  
15 if the license issued to him under this title has expired.

16 (g) An individual may not attempt to drive a motor vehicle on any highway in  
17 this State if the license issued to the individual under this title has expired.

18 (h) (1) Except as provided in paragraphs (2) and (3) of this subsection, the  
19 Administration shall require every individual applying for renewal of a driver's  
20 license to pass a vision test as prescribed by the Administration.

21 (2) (i) The Administration shall accept a certification of acceptable  
22 visual acuity from a licensed physician or optometrist instead of requiring the actual  
23 test provided for in this subsection.

24 (ii) The examination for which certification is made shall take place  
25 within 12 months of the date of application for renewal.

26 (3) An individual at least 21 years of age but under the age of 40 years  
27 may apply for renewal of a driver's license electronically or by mail or other means  
28 authorized by the Administration without taking a vision test if the applicant has  
29 passed a vision test authorized by the Administration within the previous 6 years.

30 (4) (i) If the Administration has reason to believe that an individual is  
31 a safety hazard by reason of a vision deficiency, the Administration may require the  
32 vision test provided for in this subsection at a time other than renewal of a driver's  
33 license.

34 (ii) The Administration may adopt regulations to implement the  
35 provisions of this subsection.

36 (i) Before the expiration of a driver's license, if the Administration has reason  
37 to believe that an individual is not a safety hazard, but the individual is unable to  
38 pass a required knowledge test or vision test, the Administration may extend the  
39 individual's privilege to drive for a period not to exceed 90 days.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2006.