

HOUSE BILL 537

R4

7lr1465

HB 1443/06 – JUD

By: **Delegates George, Aumann, Bartlett, Bates, Beidle, Beitzel, Bohanan, Boteler, Bromwell, Burns, Costa, DeBoy, Dwyer, Eckardt, Elliott, Elmore, Frank, Glassman, Haddaway, Impallaria, Jameson, Jennings, Kach, Kelly, J. King, Kipke, Krebs, McComas, McConkey, McDonough, McKee, Miller, Minnick, Myers, O'Donnell, Rudolph, Schuh, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stifler, Stocksdale, Stull, Walkup, Weir, Weldon, and Wood**

Introduced and read first time: February 7, 2007

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Drivers' Licensing of Illegal Aliens – Restrictions**

3 FOR the purpose of prohibiting, in order to facilitate compliance with the federal Real
4 ID Act, the Motor Vehicle Administration from issuing a new driver's license to
5 an individual who cannot provide certain documentation certifying that the
6 individual is lawfully present in the United States in accordance with federal
7 law, except under certain circumstances; authorizing the Administration to
8 issue a new driver's license under certain circumstances to an individual whose
9 documentation certifying lawful presence in the United States has expired;
10 prohibiting the Administration from issuing to a certain individual a driver's
11 license that has a certain effective term; authorizing the Administration to
12 renew for certain periods the driver's license of an individual not lawfully
13 present in the United States under certain circumstances; and generally
14 relating to drivers' licenses and individuals who are not lawfully present in the
15 United States.

16 BY repealing and reenacting, with amendments,

17 Article – Transportation

18 Section 16–103.1

19 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2006 Replacement Volume and 2006 Supplement)

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

4 **Article – Transportation**

5 16–103.1.

6 (A) The Administration may not issue a driver's license to an individual:

7 (1) During any period for which the individual's license to drive is
8 revoked, suspended, refused, or canceled in this or any other state, unless the
9 individual is eligible for a restricted license under § 16–113(e) of this subtitle;

10 (2) Who is an habitual drunkard, habitual user of narcotic drugs, or
11 habitual user of any other drug to a degree that renders the individual incapable of
12 safely driving a motor vehicle;

13 (3) Who previously has been adjudged to be suffering from any mental
14 disability or mental disease and who, at the time of application, has not been adjudged
15 competent;

16 (4) Who is required by this title to take an examination, unless the
17 individual has passed the examination;

18 (5) Whose driving of a motor vehicle on the highways the
19 Administration has good cause to believe would be inimical to public safety or welfare;

20 (6) Who is unable to exercise reasonable control over a motor vehicle
21 due to disease or a physical disability, including the loss of an arm or leg or both,
22 except that, if the individual passes the examination required by this title, the
23 Administration may issue the individual a restricted license requiring the individual
24 to wear a workable artificial limb or other similar body attachment;

25 (7) Who is unable to understand highway warning or direction signs
26 written in the English language;

27 (8) Who is unable to sign the individual's name for identification
28 purposes;

29 (9) Who is 70 years old or older and applying for a new license, unless
30 the applicant presents to the Administration:

1 (i) Proof of the individual's previous satisfactory operation of a
2 motor vehicle; or

6 (10) Who otherwise does not qualify for a license under this title.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2007.