

SENATE BILL 345

R5

8lr2291

By: **Senator Dyson**

Introduced and read first time: January 28, 2008

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Minor Holding Provisional Driver’s License – Passenger**
3 **Restrictions**

4 FOR the purpose of extending the period of time from the date a provisional driver’s
5 license is issued to a minor during which the minor is prohibited from
6 transporting certain individuals under a certain age as passengers except under
7 certain circumstances; and generally relating to passenger restrictions for a
8 minor holding a provisional driver’s license.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–1123
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2007 Supplement)

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

16 **Article – Transportation**

17 21–1123.

18 (a) (1) The provisions of this subsection do not apply if the holder of the
19 provisional driver’s license is driving while accompanied by and under the immediate
20 supervision of an individual who:

21 (i) Is at least 21 years old;

22 (ii) Has been licensed for at least 3 years in this State or in
23 another state to drive vehicles of the class then being driven by the holder of the
24 provisional driver’s license; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) Is seated beside the holder of the provisional driver's license.

2 (2) Except as provided in paragraph (3) of this subsection, a holder of a
3 provisional driver's license who is under the age of 18 years may not drive a motor
4 vehicle with a passenger under the age of 18 years.

5 (3) The prohibition under paragraph (2) of this subsection:

6 (i) Shall be in effect from the date the provisional license is
7 originally issued until [the 151st day] **1 YEAR** after the provisional license was issued;
8 and

9 (ii) Does not apply to a passenger who is:

10 1. A spouse, daughter, son, stepdaughter, stepson, sister,
11 brother, stepsister, or stepbrother of the licensee; or

12 2. A relative of the licensee who resides at the same
13 address as the licensee.

14 (b) A police officer may enforce this section only as a secondary action when
15 the police officer detains a driver for a suspected violation of another provision of the
16 Code.

17 (c) A violation of this section is a moving violation for the purposes of §
18 16-402 of this article.

19 (d) (1) If the Administration receives satisfactory evidence that an
20 individual has violated this section, the Administration may suspend or revoke the
21 individual's driver's license.

22 (2) An individual may request a hearing as provided for a suspension
23 or revocation under Title 16, Subtitle 2 of this article.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2008.