

# SENATE BILL 621

R4

8lr1897

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By: **Senators Brinkley, Brochin, Colburn, Dyson, Edwards, Glassman, Greenip, Haines, Jacobs, Kittleman, Klausmeier, Mooney, Munson, Pipkin, Stoltzfus, and Stone**

Introduced and read first time: February 1, 2008

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Drivers’ Licenses – Lawful Presence in United States**

3 FOR the purpose of prohibiting the Motor Vehicle Administration from issuing a  
4 driver’s license to an individual who cannot provide certain documentation  
5 certifying that the individual is either a United State’s citizen or is lawfully  
6 present in the United States in accordance with federal law; and generally  
7 relating to drivers’ licenses and legal presence in the United States.

8 BY repealing and reenacting, with amendments,  
9 Article – Transportation  
10 Section 16–103.1  
11 Annotated Code of Maryland  
12 (2006 Replacement Volume and 2007 Supplement)

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

15 **Article – Transportation**

16 16–103.1.

17 The Administration may not issue a driver’s license to an individual:

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

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

24 (ii) A written certification acceptable to the Administration from  
25 a licensed physician attesting to the general physical and mental qualifications of the  
26 applicant; [or]

27 (10) Who otherwise does not qualify for a license under this title; **OR**

28 **(11) WHO CANNOT PROVIDE DOCUMENTATION ACCEPTABLE TO**  
29 **THE ADMINISTRATION CERTIFYING THAT THE INDIVIDUAL IS A UNITED STATES**  
30 **CITIZEN OR IS LAWFULLY PRESENT IN THE UNITED STATES IN ACCORDANCE**  
31 **WITH FEDERAL LAW.**

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