

**SB0265/788770/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 265

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Dyson” and substitute “Dyson, Gladden, Jacobs, and Muse”; in line 2, strike “Young Drivers – Driving Privileges” and substitute “Teen Driver Safety”; in line 4, strike “learner’s instructional permit, provisional license, and full” and substitute “provisional driver’s license or original”; strike beginning with “increasing” in line 5 down through “absences;” in line 10 and substitute “requiring the Administration to fingerprint an applicant for a driving instructor’s license and apply for certain criminal history records information about the applicant in a certain manner; providing that certain criminal history records are confidential and available only for a certain purpose;”; in line 15, strike “a full” and substitute “an original driver’s”; strike beginning with “altering” in line 16 down through “unsupervised;” in line 17; in line 18, strike “requiring” and substitute “authorizing”; in line 19, strike “certain restrictions” and substitute “a certain restriction”; in line 25, strike “driving privileges for young drivers” and substitute “teen driver safety”; in line 28, after “Section” insert “15-804,”; in the same line, strike “16-105(a) and (d)” and substitute “16-105(d)”; and in the same line, strike “16-113(d),”.

On page 2, in line 5, after “Section” insert “15-102, 15-802, and”; in the same line, strike “and 16-113(d-1) and (i)”; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On page 2, in line 28, in each instance, strike the bracket; and in the same line, strike “**16 YEARS**”.

(Over)

AMENDMENT NO. 3

On page 3, after line 1, insert:

“15–102.

(a) Each application for a license under this title shall be made on the form that the Administration requires.

(b) In addition to any other information required by this title, each application for a license under this title shall include:

(1) The name and address of the applicant;

(2) The address of the fixed location from which the licensed activity of the applicant will be conducted;

(3) A statement of the maximum amount charged as a dealer processing charge under § 15–311.1 of this title; and

(4) Any other information that the Administration requires.

(c) Each application for a license under this title shall:

(1) Contain a certification by the applicant that the information given in it is true; and

(2) Be signed by:

(i) The applicant, if the applicant is an individual;

(ii) A partner or other authorized representative, if the application is made for a partnership; or

(iii) An officer or other authorized representative, if the application is made for a corporation or any other business entity.

(d) Except for an application for a drivers' school license, each application for a license under this title shall be accompanied by the annual fee required for that license.

15-802.

A person may not act as a driving instructor unless the person is licensed by the Administration under this subtitle.

15-804.

(A) In addition to the information required under § 15-102 of this title, each application for a license shall include:

(1) The name and business address of the drivers' school by whom the applicant is or will be employed; or

(2) A statement that the applicant himself is licensed to conduct a drivers' school.

**(B) (1) IN THIS SUBSECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

**(2) THE ADMINISTRATION SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK FOR EACH APPLICANT.**

(Over)

**(3) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, THE ADMINISTRATION SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

**(I) TWO COMPLETE SETS OF THE APPLICANT'S LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

**(II) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND**

**(III) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.**

**(4) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-234 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE APPLICANT AND THE ADMINISTRATION THE APPLICANT'S CRIMINAL HISTORY RECORDS INFORMATION.**

**(5) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SUBSECTION:**

**(I) IS CONFIDENTIAL AND MAY NOT BE REDISSEMINATED;**  
**AND**

(II) SHALL BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS SUBSECTION.

(6) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SUBSECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.”;

strike in their entirety lines 3 through 18, inclusive; and in line 26, strike “6” and substitute “**9**”.

AMENDMENT NO. 4

On page 5, in line 27, strike “or revoked” and substitute “, **REVOKED, OR CANCELLED**”.

On pages 6 and 7, strike in their entirety the lines beginning with line 1 on page 6 through line 7 on page 7, inclusive.

AMENDMENT NO. 5

On page 9, in line 5, strike “provisional”; in line 8, strike “**SHALL:**” and substitute “**MAY**”; in line 9, strike “**1. SUSPEND**” and substitute “**SUSPEND**”; in the same line, after “**FOR**” insert “**UP TO**”; strike in their entirety lines 11 and 12; in line 17, strike “**SHALL**” and substitute “**MAY**”; in line 18, after “**FOR**” insert “**UP TO**”; and in line 21, strike “**YOUNGER**” and substitute “**YOUNG**”.

AMENDMENT NO. 6

On page 10, in line 2, strike “**SHALL**” and substitute “**MAY**”; in line 3, after “**LICENSE**” insert “**FOR NOT LESS THAN 180 DAYS**”; in line 19, strike “a passenger” and substitute “**;**”

**(I) FOR THE FIRST 5 MONTHS AFTER THE PROVISIONAL LICENSE IS ISSUED, A PASSENGER WHO IS**;

in the same line, after “years” insert “**;** **AND**”

**(II) AFTER THE EXPIRATION OF THE 5-MONTH PERIOD, MORE THAN ONE PASSENGER WHO IS UNDER THE AGE OF 18 YEARS**;

in line 20, in each instance, strike the bracket; strike beginning with “**EXCEPT**” in line 20 down through “**THE**” in line 21; strike beginning with the colon in line 21 down through “Does” in line 26 and substitute “**DOES**”; in lines 27 and 29, strike “1.” and “2.”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 28, strike the first “or”; and in the same line, after “stepbrother” insert “**, OR COUSIN**”.

On page 11, in line 13, strike “under the age of 16 years”; and in the same line, after “a” insert “**provisional or an original**”.