

SENATE BILL 741

R4

9lr2590

By: **Senators Lenett, Harrington, Madaleno, Pugh, and Rosapepe**

Introduced and read first time: February 6, 2009

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Driver’s License Examination – In-Traffic Driving**

3 FOR the purpose of requiring the Motor Vehicle Administration to include an
4 in-traffic driving component in a certain examination given to determine the
5 qualifications of an applicant for an original driver’s license or a driver’s license
6 for a class of driver’s license higher than that which the applicant currently
7 holds; and generally relating to driver’s license examinations and in-traffic
8 driving.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 16–110
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2008 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 16–110.

18 (a) The Administration shall:

19 (1) Establish qualifications for the safe operation of the various
20 classes, types, sizes, or combinations of vehicles; and

21 (2) Examine each applicant to determine the applicant’s qualifications
22 for the license class applied for.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) Except as otherwise provided in this title, the Administration shall
2 examine each applicant for an original driver's license or for a class of driver's license
3 higher than that which the applicant currently holds.

4 (c) The examination shall include:

5 (1) A test of the applicant's:

6 (i) Vision;

7 (ii) Ability to read and understand highway signs regulating,
8 warning, and directing traffic; and

9 (iii) Knowledge of the traffic laws of this State and safe driving
10 practices;

11 (2) A demonstration of the applicant's ability to exercise reasonable
12 control in driving a motor vehicle; [and]

13 (3) **AN IN-TRAFFIC DRIVING COMPONENT; AND**

14 (4) Any other additional physical or mental examination that the
15 Administration considers necessary to determine an applicant's fitness to drive a
16 motor vehicle safely.

17 (d) If an applicant is qualified to take the required examinations for the
18 license applied for, the applicant shall appear in person for examination at any one of
19 the places in this State that the Administration has designated for this purpose.

20 (e) (1) For a required driver skills examination or driver road
21 examination, each applicant shall provide a motor vehicle of a type appropriate to test
22 the applicant's ability to drive all vehicles that may be driven under the license class
23 applied for.

24 (2) Except as provided in paragraphs (3) and (4) of this subsection,
25 when the holder of a learner's instructional permit appears for the driving test, the
26 permit holder shall be accompanied by an individual qualified under § 16-105 of this
27 subtitle to accompany the holder of a learner's permit while driving on a highway.
28 That individual shall have his driver's license with him.

29 (3) The holder of a Class M (motorcycle) learner's instructional permit
30 may:

31 (i) Transport a motorcycle to the driving test by truck or other
32 vehicle unaccompanied by another individual, if the permit holder is licensed to drive
33 the truck or other vehicle; or

1 (ii) Be accompanied by a person transporting a motorcycle to the
2 test by truck or other vehicle, if that person is licensed to drive the truck or other
3 vehicle.

4 (4) The holder of a learner's instructional permit may be driven to the
5 examination station and to the starting point where the examiner begins the test by
6 any individual authorized to drive the class of vehicle in which the test is being given.
7 That individual shall have a valid driver's license in the individual's possession.

8 (f) If the applicant does not pass the examination for the license class
9 applied for, the Administration may issue the applicant any license of a lower class for
10 which the applicant qualifies.

11 (g) Except as provided in subsection (h) of this section, the Administration
12 may waive any driver's license examination provided for under this title if the
13 applicant:

14 (1) Holds a valid driver's license issued under this subtitle;

15 (2) Is applying for a Class M license and has successfully completed
16 the Administration approved basic motorcycle safety course; or

17 (3) Holds a valid license from:

18 (i) Another state;

19 (ii) A territory or possession of the United States, the District of
20 Columbia, or the Commonwealth of Puerto Rico; or

21 (iii) A province or territory of Canada.

22 (h) The Administration may not waive a vision examination required under
23 this section.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2009.