

# SENATE BILL 879

R4

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By: **Senator Guzzone**

Introduced and read first time: February 9, 2021

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Driver’s Licenses – Driver Skills Examinations**

3 FOR the purpose of authorizing the Motor Vehicle Administration to allow certain drivers’  
4 schools to administer the driver skills examination required for an individual to  
5 obtain a driver’s license; requiring a drivers’ school that administers the driver skills  
6 examination to use certain methods in administering the examination and to enter  
7 into a certain memorandum of understanding with the Administration; altering the  
8 scope of authority for a drivers’ school license; and generally relating to driver’s  
9 license examinations.

10 BY repealing and reenacting, without amendments,

11 Article – Transportation  
12 Section 15–702  
13 Annotated Code of Maryland  
14 (2020 Replacement Volume)

15 BY repealing and reenacting, with amendments,

16 Article – Transportation  
17 Section 15–707 and 16–110  
18 Annotated Code of Maryland  
19 (2020 Replacement Volume)

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

22 **Article – Transportation**

23 15–702.

24 A person may not conduct a drivers’ school unless the person is licensed by the  
25 Administration under this subtitle.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 15-707.

2 (a) A license issued under this subtitle authorizes the licensee to [conduct]:

3 (1) **CONDUCT** a drivers' school during the license year for which the license  
4 is issued; **AND**

5 (2) **IF AUTHORIZED BY THE ADMINISTRATION UNDER § 16-110(I) OF**  
6 **THIS ARTICLE, ADMINISTER THE DRIVER SKILLS EXAMINATION FOR AN APPLICANT**  
7 **FOR A DRIVER'S LICENSE.**

8 (b) The license shall be displayed conspicuously at the location from which the  
9 business of the licensee is conducted.

10 16-110.

11 (a) The Administration shall:

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

14 (2) Examine each applicant to determine the applicant's qualifications for  
15 the license class applied for.

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

19 (c) The examination shall include:

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

21 (i) Vision;

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

24 (iii) Knowledge of the traffic laws of this State and safe driving  
25 practices;

26 (2) A demonstration of the applicant's ability to exercise reasonable control  
27 in driving a motor vehicle; and

1           (3) Any other additional physical or mental examination that the  
2 Administration considers necessary to determine an applicant's fitness to drive a motor  
3 vehicle safely.

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

7           (e) (1) (i) Subject to subparagraph (ii) of this paragraph, for a required  
8 driver skills examination or driver road examination, each applicant shall provide a motor  
9 vehicle of a type appropriate to test the applicant's ability to drive all vehicles that may be  
10 driven under the license class applied for.

11                           (ii) An applicant may not use an autocycle to test the applicant's  
12 ability to drive under subparagraph (i) of this paragraph.

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

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

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

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

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

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

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

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

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

1 (3) Holds a valid license from:

2 (i) Another state;

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

5 (iii) A province or territory of Canada.

6 (h) The Administration may not waive a vision examination required under this  
7 section unless the applicant:

8 (1) Is applying for a corrected driver's license under § 16-114.1 of this  
9 subtitle; and

10 (2) Has passed a vision examination acceptable to the Administration  
11 within the last 12 months.

12 **(I) (1) THE ADMINISTRATION MAY AUTHORIZE A LICENSED DRIVERS'**  
13 **SCHOOL TO ADMINISTER THE DRIVER SKILLS EXAMINATION.**

14 **(2) A DRIVERS' SCHOOL MAY ADMINISTER THE DRIVER SKILLS**  
15 **EXAMINATION ONLY IF:**

16 **(I) THE EXAMINATION IS ADMINISTERED USING A METHOD**  
17 **THAT THE ADMINISTRATION IS AUTHORIZED TO USE; AND**

18 **(II) THE DRIVERS' SCHOOL HAS ENTERED INTO A**  
19 **MEMORANDUM OF UNDERSTANDING WITH THE ADMINISTRATION AND THE**  
20 **MEMORANDUM OF UNDERSTANDING HAS NOT BEEN TERMINATED BY EITHER PARTY.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2021.