HOUSE BILL 1025

By: Delegate Forbes
Introduced and read first time: February 10, 2022
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Vehicle Laws – Driver Education – Self-Paced, Online Instruction

FOR the purpose of authorizing certain individuals to satisfy the classroom instruction component necessary for obtaining a provisional driver’s license by completing certain self–paced, online driver education instruction approved by the Motor Vehicle Administration; requiring certain regulations adopted by the Administration to include standards for self–paced, online driver education instruction; and generally relating to self–paced, online driver education instruction.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–105(d)(2)
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–105(d)(3) through (5) and 16–505
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

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

Article – Transportation

16–105.

(d) (2) Except as provided in paragraph (3) of this subsection, an individual under the age of 19 years who holds a learner’s instructional permit may not take a driver skills examination or driver road examination for a provisional license:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(i) Sooner than 9 months following the later of:

1. The date that the individual first obtains the learner’s instructional permit; or

2. The most recent date the individual was convicted of, or granted probation before judgment under § 6–220 of the Criminal Procedure Article for, a moving violation;

(ii) Until after successful completion of:

1. The driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction; and

2. At least 60 hours, 10 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of behind-the-wheel driving practice supervised by an individual who:

   A. Holds a valid driver’s license;

   B. Is at least 21 years old; and

   C. Has been licensed to drive for at least 3 years; and

(iii) Unless the individual submits, in accordance with the Administration’s regulations, a completed skills log book signed by:

1. Each supervising driver who certifies that the individual has satisfactorily demonstrated a required skill and has completed the driving practice requirements of item (ii)2 of this paragraph; and

2. If a signature of a parent, guardian, or other person is required under § 16–107 of this subtitle, the parent, guardian, or other person who signs the individual’s application under that section.

(3) An individual who holds a learner’s instructional permit and who is 18 years old and has a high school diploma or its equivalent or is at least 19 years old but under the age of 25 years may not take a driver skills examination or driver road examination for a provisional license:

(i) Sooner than the later of:

1. 3 months following the date that the individual first obtains the learner’s instructional permit; or
2. 9 months following the most recent date the individual was convicted of, or granted probation before judgment for, a moving violation;

(ii) Until after successful completion of:

1. A. A standard driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction; OR

B. For an individual who is at least 21 years old but under the age of 25 years, a standard self-paced, online driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of online instruction and at least 6 hours of highway driving instruction; and

2. At least 60 hours, 10 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of behind-the-wheel driving practice supervised by an individual who:

A. Holds a valid driver's license;

B. Is at least 21 years old; and

C. Has been licensed to drive for at least 3 years; and

(iii) Unless the individual submits, in accordance with the Administration’s regulations, a completed skills log book signed by each supervising driver who certifies that the individual has satisfactorily demonstrated a required skill and has completed the driving practice requirements under this paragraph.

(4) An individual at least 25 years old who holds a learner’s instructional permit and has not been convicted of, or granted probation before judgment for, a moving violation may not take a driver skills examination or driver road examination for a provisional license:

(i) Sooner than 45 days following the date that the individual first obtains the learner’s instructional permit;

(ii) Until after successful completion of:

1. A. A standard driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction; OR

B. A standard self-paced, online driver education program approved under Subtitle 5 of this title, consisting
OF AT LEAST 30 HOURS OF ONLINE INSTRUCTION AND AT LEAST 6 HOURS OF HIGHWAY DRIVING INSTRUCTION; and

2. At least 14 hours, 3 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of behind-the-wheel driving practice supervised by an individual who:

A. Holds a valid driver’s license;

B. Is at least 21 years old; and

C. Has been licensed to drive for at least 3 years; and

(iii) Unless the individual submits, in accordance with the Administration’s regulations, a completed skills log book signed by each supervising driver who certifies that the individual has satisfactorily demonstrated a required skill and has completed the driving practice requirements under this paragraph.

(5) An individual at least 25 years old who holds a learner’s instructional permit and has been convicted of, or granted probation before judgment for, at least one moving violation may not take a driver skills examination or driver road examination for a provisional license:

(i) Sooner than 9 months following the most recent date the individual was convicted of, or granted probation before judgment for, a moving violation;

(ii) Until after successful completion of:

   1. A. A standard driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction; OR

   B. A STANDARD SELF–PACED, ONLINE DRIVER EDUCATION PROGRAM APPROVED UNDER SUBTITLE 5 OF THIS TITLE, CONSISTING OF AT LEAST 30 HOURS OF ONLINE INSTRUCTION AND AT LEAST 6 HOURS OF HIGHWAY DRIVING INSTRUCTION; and

2. At least 14 hours, 3 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of behind-the-wheel driving practice supervised by an individual who:

A. Holds a valid driver’s license;

B. Is at least 21 years old; and

C. Has been licensed to drive for at least 3 years; and
(iii) Unless the individual submits, in accordance with the Administration's regulations, a completed skills log book signed by each supervising driver who certifies that the individual has satisfactorily demonstrated a required skill and has completed the driving practice requirements under this paragraph.

16–505.

(a) The Administration shall, in consultation with the State Department of Education, adopt and enforce regulations not inconsistent with this subtitle to implement a standardized driver education program conducted by driver education schools under its jurisdiction.

(b) Regulations adopted under this section shall be administered by the Administration and shall include:

1. Curriculum, equipment, and facility standards for classroom, laboratory, and on–road instruction phases;

2. Minimum student performance standards for an approved driver education program based upon the standardized curriculum approved by the Administration, consisting of at least 30 hours of classroom OR SELF–PACED, ONLINE instruction and at least 6 hours of highway driving instruction;

3. Standards for the certification of schools and instructors;

4. A system to evaluate the effectiveness of the driver education program;

5. Standards governing the required offering of the driver education program, based on the capacity, enrollment, staff, and facilities of the schools; and

6. Standards for the eligibility of individuals to enroll in the program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.