HOUSE BILL 1289

By: Delegates Arikan, Grammer, Hornberger, Howard, Kipke, Saab, and Szeliga
Introduced and read first time: February 11, 2022
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning
Vehicle Laws – Learner’s Instructional Permits and Identification Cards – Required Documents

FOR the purpose of authorizing the parent or guardian of a learner’s instructional permit or identification card applicant under a certain age to submit documentation in their own name to establish the applicant’s State residency; altering to apply only to applicants enrolled in a public school the requirement that a learner’s instructional permit applicant under a certain age submit a copy of the applicant’s school attendance record; and generally relating to documentation requirements for learner’s instructional permit and identification card applicants.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–301(a) and 16–105(a)
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

12–301.

(a) (I) On application, the Administration shall issue an identification card to any applicant who:

[(1)] (I) Is a resident of this State;

[(2)] (II) Does not have a driver’s license;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
HOUSE BILL 1289

[(3)] (III) Presents a birth certificate or other proof of age and identity acceptable to the Administration;

[(4)] (IV) Provides satisfactory documentary evidence that the applicant has lawful status;

[(5)] (V) [(i)] 1. Provides satisfactory documentary evidence that the applicant has a valid Social Security number by presenting the applicant’s Social Security Administration account card or, if the Social Security Administration account card is not available, any of the following documents bearing the applicant’s Social Security number:

[1.] A. A current W–2 form;

[2.] B. A current SSA–1099 form;

[3.] C. A current non–SSA–1099 form; or

[4.] D. A current pay stub with the applicant’s name and Social Security number on it; or

[(ii)] 2. Provides satisfactory documentary evidence that the applicant is not eligible for a Social Security number; and

[(6)] (VI) Presents a completed application for an identification card on a form furnished by the Administration.

(2) A PARENT OR GUARDIAN OF AN APPLICANT UNDER THE AGE OF 18 YEARS MAY SUBMIT DOCUMENTS IN THEIR OWN NAME TO ESTABLISH THE STATE RESIDENCY OF THE APPLICANT.

16–105.

(a) (1) Any individual who desires to obtain an original driver’s license under this subtitle or to be licensed in a class for which the individual is not already licensed under this subtitle shall apply to the Administration for the desired driver’s license.

(2) Except as provided in subsection (f) of this section, before issuing a driver’s license, the Administration shall issue to each applicant a learner’s instructional permit. The learner’s instructional permit shall identify clearly the class of license for which the applicant has applied.

(3) A PARENT OR GUARDIAN OF AN APPLICANT UNDER THE AGE OF 18 YEARS MAY SUBMIT DOCUMENTS IN THEIR OWN NAME TO ESTABLISH THE STATE RESIDENCY OF THE APPLICANT.
[(3)[(4)] (i) Each applicant for a learner's instructional permit who is under the age of 16 years AND ENROLLED IN A PUBLIC SCHOOL shall present to the Administration a copy of the applicant’s school attendance record.

(ii) The Administration may not issue a learner’s instructional permit to an applicant under the age of 16 years WHO IS ENROLLED IN A PUBLIC SCHOOL if the applicant’s school attendance record indicates more than 10 unexcused absences during the prior school semester.

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