

SENATE BILL 1096

R4

4r1059
CF 4r3243

By: **Senators Smith and Jackson**

Introduced and read first time: February 2, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Licenses, Identification Cards, and Moped Operator’s Permits –**
3 **Identification of Nonapparent Disability**

4 FOR the purpose of requiring that an application for a license, an identification card, or a
5 moped operator’s permit allow an applicant to indicate the applicant’s nonapparent
6 disability; requiring the Motor Vehicle Administration to ensure that the license,
7 identification card, or moped operator’s permit of an applicant who indicates that the
8 applicant has a nonapparent disability includes a certain notation; and generally
9 relating to licenses, identification cards, and moped operator’s permits.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 11–128 and 11–135
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2023 Supplement)

15 BY adding to
16 Article – Transportation
17 Section 12–306
18 Annotated Code of Maryland
19 (2020 Replacement Volume and 2023 Supplement)

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

Article – Transportation

22 11–128.

24 (a) “License”, as used in reference to the operation of a motor vehicle, means any:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Driver's license; and

2 (2) Any other license or permit to drive a motor vehicle that is issued under
3 or granted by the laws of this State, including:

4 (i) Any temporary license;

5 (ii) A learner's instructional permit;

6 (iii) A provisional license;

7 (iv) The privilege of any individual to drive a motor vehicle, whether
8 or not that individual is formally licensed by this or any other jurisdiction;

9 (v) Any nonresident's privilege to drive, as defined in this subtitle;
10 and

11 (vi) A commercial driver's license.

12 (b) "License" does not include an electronic credential issued under Title 16,
13 Subtitle 10 of this article.

14 11-135.

15 (a) (1) "Motor vehicle" means, except as provided in subsection (b) of this
16 section, a vehicle that:

17 (i) Is self-propelled or propelled by electric power obtained from
18 overhead electrical wires; and

19 (ii) Is not operated on rails.

20 (2) "Motor vehicle" includes a low speed vehicle.

21 (b) "Motor vehicle" does not include:

22 (1) A moped, as defined in § 11-134.1 of this subtitle;

23 (2) A motor scooter, as defined in § 11-134.5 of this subtitle;

24 (3) An electric bicycle, as defined in § 11-117.1 of this subtitle;

25 (4) An electric low speed scooter, as defined in § 11-117.2 of this subtitle;
26 or

27 (5) A personal delivery device, as defined in § 21-104.5 of this article.

1 **12-306.**

2 (A) (1) IN THIS SECTION, “NONAPPARENT DISABILITY” MEANS A
3 DISABILITY OR HEALTH CONDITION THAT IS NOT IMMEDIATELY OBVIOUS OR
4 VISIBLE.

5 (2) “NONAPPARENT DISABILITY” INCLUDES:

6 (I) ALZHEIMER’S DISEASE OR DEMENTIA;

7 (II) AUTISM;

8 (III) DEAF OR HEARING IMPAIRMENT;

9 (IV) DEVELOPMENTAL DISABILITIES;

10 (V) INTELLECTUAL DISABILITIES; AND

11 (VI) MENTAL HEALTH DISABILITIES.

12 (B) AN APPLICATION FOR A LICENSE, AN IDENTIFICATION CARD, OR A
13 MOPEL OPERATOR’S PERMIT SHALL ALLOW AN APPLICANT TO INDICATE THAT THE
14 APPLICANT HAS A NONAPPARENT DISABILITY.

15 (C) THE ADMINISTRATION SHALL ENSURE THAT THE LICENSE,
16 IDENTIFICATION CARD, OR MOPEL OPERATOR’S PERMIT OF AN APPLICANT WHO HAS
17 INDICATED A NONAPPARENT DISABILITY ON AN APPLICATION INCLUDES AN “ND”
18 NOTATION.

19 (D) THE ADMINISTRATION MAY NOT:

20 (1) REQUIRE AN APPLICANT FOR A LICENSE, AN IDENTIFICATION
21 CARD, OR A MOPEL OPERATOR’S PERMIT TO PROVIDE PROOF OF THE APPLICANT’S
22 NONAPPARENT DISABILITY; OR

23 (2) DENY AN APPLICATION FOR A LICENSE, AN IDENTIFICATION
24 CARD, OR A MOPEL OPERATOR’S PERMIT BECAUSE THE NONAPPARENT DISABILITY
25 SELECTED BY THE APPLICANT DOES NOT MATCH THE NONAPPARENT DISABILITY
26 INDICATED ON ANOTHER DOCUMENT ASSOCIATED WITH THE APPLICANT.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2024.