

SENATE BILL 618

R4

5lr1595

By: ~~Senator Smith~~ **Senators Smith, Charles, Ferguson, Folden, M. Jackson, James, Love, McKay, Muse, Salling, Sydnor, Waldstreicher, and West**

Introduced and read first time: January 25, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 17, 2025

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Licenses, Identification Cards, and Moped Operator’s Permits**
3 **– Notation of Nonapparent Disability**
4 **(Eric’s ID Law)**

5 FOR the purpose of requiring that certain applications for a license, an identification card,
6 or a moped operator’s permit allow an applicant to choose to indicate on the
7 document the applicant’s nonapparent disability; requiring the Motor Vehicle
8 Administration to ensure that the license, identification card, or moped operator’s
9 permit of an applicant who indicates that the applicant has a nonapparent disability
10 includes a certain notation; requiring the Administration to establish certain public
11 outreach efforts on the availability of the notation; requiring the Administration to
12 delete a certain record about an applicant’s nonapparent disability notation under
13 certain circumstances; prohibiting the Administration from disclosing certain
14 information ~~to~~ in a certain ~~entire~~ manner under certain circumstances about an
15 applicant that indicates that the applicant has a nonapparent disability; and
16 generally relating to nonapparent disability notations on licenses, identification
17 cards, and moped operator’s permits.

18 BY repealing and reenacting, without amendments,
19 Article – Transportation
20 Section 11–128 and 11–135
21 Annotated Code of Maryland
22 (2020 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
2 Article – Transportation
3 Section 12–306
4 Annotated Code of Maryland
5 (2020 Replacement Volume and 2024 Supplement)

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

8 **Article – Transportation**

9 11–128.

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

11 (1) Driver’s license; and

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

14 (i) Any temporary license;

15 (ii) A learner’s instructional permit;

16 (iii) A provisional license;

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

19 (v) Any nonresident’s privilege to drive, as defined in this subtitle;
20 and

21 (vi) A commercial driver’s license.

22 (b) “License” does not include an electronic credential issued under Title 16,
23 Subtitle 10 of this article.

24 11–135.

25 (a) (1) “Motor vehicle” means, except as provided in subsection (b) of this
26 section, a vehicle that:

27 (i) Is self–propelled or propelled by electric power obtained from
28 overhead electrical wires; and

29 (ii) Is not operated on rails.

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

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

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

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

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

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

7 or

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

9 **12-306.**

10 (A) (1) IN THIS SECTION, "NONAPPARENT DISABILITY" MEANS A
11 DISABILITY OR HEALTH CONDITION THAT IS NOT IMMEDIATELY OBVIOUS OR
12 VISIBLE.

13 (2) "NONAPPARENT DISABILITY" INCLUDES:

14 (I) DEVELOPMENTAL DISABILITIES; AND

15 (II) INTELLECTUAL DISABILITIES.

16 (B) AN INITIAL AND A RENEWAL APPLICATION FOR A LICENSE, AN
17 IDENTIFICATION CARD, OR A MOPED OPERATOR'S PERMIT SHALL ALLOW AN
18 APPLICANT TO CHOOSE TO INDICATE ON THE DOCUMENT THAT THE APPLICANT HAS
19 A NONAPPARENT DISABILITY.

20 (C) THE ADMINISTRATION SHALL:

21 (1) ENSURE THAT THE LICENSE, IDENTIFICATION CARD, OR MOPED
22 OPERATOR'S PERMIT OF AN APPLICANT WHO HAS INDICATED A NONAPPARENT
23 DISABILITY ON AN APPLICATION INCLUDES A NOTATION OF THE NONAPPARENT
24 DISABILITY ON THE BOTTOM OF THE LICENSE, IDENTIFICATION CARD, OR MOPED
25 OPERATOR'S PERMIT;

26 (2) CONSULT WITH DEVELOPMENTAL DISABILITY AND
27 INTELLECTUAL DISABILITY ADVOCACY GROUPS WITH RESPECT TO THE DESIGN OF
28 THE NONAPPARENT DISABILITY NOTATION;

1 **(3) NOTIFY AN INDIVIDUAL WITH A NONAPPARENT DISABILITY**
2 **NOTATION ON A LICENSE, IDENTIFICATION CARD, OR MOPED OPERATOR'S PERMIT**
3 **THAT TURNS 18 YEARS OF AGE THAT THE INDIVIDUAL MAY REQUEST THAT THE**
4 **NONAPPARENT DISABILITY NOTATION BE REMOVED; ~~AND~~**

5 **(4) DELETE ANY RECORD OF AN INDIVIDUAL'S NONAPPARENT**
6 **DISABILITY NOTATION ON REQUEST BY THE INDIVIDUAL AT ANY TIME; AND**

7 **(5) ESTABLISH PUBLIC OUTREACH EFFORTS TO EDUCATE THE**
8 **GENERAL PUBLIC ON THE AVAILABILITY OF THE NONAPPARENT DISABILITY**
9 **NOTATION.**

10 **(D) THERE IS NO FEE FOR A NONAPPARENT DISABILITY NOTATION ON A**
11 **LICENSE, IDENTIFICATION CARD, OR MOPED OPERATOR'S PERMIT, INCLUDING FOR**
12 **THE ISSUANCE OF A CORRECTED DOCUMENT IF NO OTHER CORRECTIONS ARE MADE.**

13 **(E) THE ADMINISTRATION MAY NOT:**

14 **(1) REQUIRE AN APPLICANT FOR A LICENSE, AN IDENTIFICATION**
15 **CARD, OR A MOPED OPERATOR'S PERMIT TO PROVIDE PROOF OF THE APPLICANT'S**
16 **NONAPPARENT DISABILITY;**

17 **(2) DENY AN APPLICATION FOR A LICENSE, AN IDENTIFICATION**
18 **CARD, OR A MOPED OPERATOR'S PERMIT BECAUSE THE NONAPPARENT DISABILITY**
19 **SELECTED BY THE APPLICANT DOES NOT MATCH THE NONAPPARENT DISABILITY**
20 **INDICATED ON ANOTHER DOCUMENT ASSOCIATED WITH THE APPLICANT;**

21 **(3) NOTWITHSTANDING § 4-320 OF THE GENERAL PROVISIONS**
22 **ARTICLE AND EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, DISCLOSE**
23 **FOR ANY USE WITHOUT A COURT ORDER INFORMATION RELATED TO AN**
24 **APPLICANT'S ~~INDICATION~~**

25 **(I) INDICATION OF A NONAPPARENT DISABILITY ON AN**
26 **APPLICATION FOR A LICENSE, AN IDENTIFICATION CARD, OR A MOPED OPERATOR'S**
27 **PERMIT ~~FOR ANY USE IN RESPONSE TO A REQUEST FROM AN INSURANCE COMPANY~~**
28 **~~OR THE MARYLAND INSURANCE ADMINISTRATION; OR~~**

29 **(II) REQUEST TO REMOVE AN INDICATION OF A NONAPPARENT**
30 **DISABILITY FROM A LICENSE, AN IDENTIFICATION CARD, OR A MOPED OPERATOR'S**
31 **PERMIT; OR**

32 **(4) USE INFORMATION DISCLOSED BY A PERSON UNDER THIS**
33 **SECTION AS A BASIS FOR REFERRING THE PERSON TO THE MEDICAL ADVISORY**
34 **BOARD UNDER § 16-118 OF THIS ARTICLE.**

1 (F) THE ADMINISTRATION MAY MAKE INFORMATION DESCRIBED IN
2 SUBSECTION (E)(3) OF THIS SECTION AVAILABLE TO:

3 (1) A COURT;

4 (2) A CRIMINAL JUSTICE AGENCY;

5 (3) A DRIVER LICENSING AUTHORITY;

6 (4) THE APPLICANT;

7 (5) THE APPLICANT’S ATTORNEY;

8 (6) ANY THIRD PARTY DESIGNATED BY THE APPLICANT; OR

9 (7) THE CHILD SUPPORT ADMINISTRATION.

10 (G) THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, IN
11 CONSULTATION WITH THE DEPARTMENT OF STATE POLICE AND OTHER
12 INTERESTED STAKEHOLDERS, SHALL IMPLEMENT TRAINING CONCERNING
13 INTERACTIONS WITH INDIVIDUALS WHO HAVE A NONAPPARENT DISABILITY
14 NOTATION ON THEIR LICENSE, IDENTIFICATION CARD, OR MOPED OPERATOR’S
15 PERMIT.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.