

HOUSE BILL 1338

R4

6lr3517
CF SB 856

By: **Delegate Ruth**

Introduced and read first time: February 12, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Driver’s Licenses – Eligibility**

3 FOR the purpose of altering the eligibility standards and requirements for the issuance of
4 provisional driver’s licenses and original driver’s licenses; and generally relating to
5 eligibility for driver’s licenses.

6 BY repealing and reenacting, with amendments,
7 Article – Transportation
8 Section 16–103(c), 16–105(d), and 16–111
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article – Transportation
13 Section 16–111.1(a) and (b)
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2025 Supplement)

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

18 **Article – Transportation**

19 16–103.

20 (c) The Administration may not issue:

21 (1) A learner’s instructional permit to any individual who has not reached
22 the age of 15 years, 9 months;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) A provisional license to any individual who [has]:

2 (I) HAS not reached the age of 16 years, 6 months; OR

3 (II) IS 18 YEARS OF AGE OR OLDER; or

4 (3) A license to any individual who has not reached the age of 18 years.

5 16–105.

6 (d) (1) This subsection applies to an individual who:

7 (i) Seeks to obtain an original driver’s license under this subtitle;

8 and

9 (ii) Does not qualify for a learner’s instructional permit under
10 subsection (e) of this section.

11 (2) [Except as provided in paragraph (3) of this subsection, an] AN
12 individual under the age of [19] 18 years who holds a learner’s instructional permit may
13 not take a driver skills examination or driver road examination for a provisional license:

14 (i) Sooner than 9 months following the later of:

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

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

20 (ii) Until after successful completion of:

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

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

27 A. Holds a valid driver’s license;

28 B. Is at least 21 years old; and

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

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

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

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

9 (3) An individual who holds a learner's instructional permit and who is **AT**
10 **LEAST** 18 years old [and has a high school diploma or its equivalent or is at least 19 years
11 old but under the age of 25 years] may not take a driver skills examination or driver road
12 examination for a [provisional] **DRIVER'S** license:

13 (i) Sooner than the later of:

14 1. 3 months following the date that the individual first
15 obtains the learner's instructional permit; or

16 2. 9 months following the most recent date the individual
17 was convicted of, or granted probation before judgment for, a moving violation;

18 (ii) Until after successful completion of:

19 1. A standard driver education program approved under
20 Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least
21 6 hours of highway driving instruction; and

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

25 A. Holds a valid driver's license;

26 B. Is at least 21 years old; and

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

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

32 (4) An individual at least 25 years old who holds a learner's instructional
33 permit and has not been convicted of, or granted probation before judgment for, a moving

1 violation may not take a driver skills examination or driver road examination for a
2 **[provisional] DRIVER'S** license:

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

5 (ii) Until after successful completion of:

6 1. A standard driver education program approved under
7 Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least
8 6 hours of highway driving instruction; and

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

12 A. Holds a valid driver's license;

13 B. Is at least 21 years old; and

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

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

19 (5) An individual at least 25 years old who holds a learner's instructional
20 permit and has been convicted of, or granted probation before judgment for, at least one
21 moving violation may not take a driver skills examination or driver road examination for a
22 **[provisional] DRIVER'S** license:

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

25 (ii) Until after successful completion of:

26 1. A standard driver education program approved under
27 Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least
28 6 hours of highway driving instruction; and

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

32 A. Holds a valid driver's license;

1 B. Is at least 21 years old; and

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

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

7 (6) A learner's instructional permit issued to an individual described in
8 paragraph (1) of this subsection expires 2 years after the date of issuance.

9 16-111.

10 (a) This section applies to an applicant who:

11 (1) Holds a learner's instructional permit under § 16-105(d) of this subtitle;
12 or

13 (2) Qualifies for a provisional license under subsection (e) of this section.

14 (b) An applicant is entitled to receive a provisional license if the applicant:

15 (1) Meets the [minimum age required] **AGE REQUIREMENTS** under §
16 16-103(c)(2) of this subtitle;

17 (2) Satisfies the learner's instructional permit requirements under [§
18 16-105(d)(2), (3), (4), or (5)] **§ 16-105(D)(2)** of this subtitle;

19 (3) Passes a driver skills or driver road examination administered under
20 this subtitle;

21 (4) Surrenders any learner's instructional permit issued to the applicant;
22 and

23 (5) Pays the fee established under this subtitle.

24 (c) A provisional license shall be clearly identifiable as a provisional license.

25 (d) (1) An individual who holds a provisional license may not receive a
26 **DRIVER'S** license [sooner than 18 months following] **BEFORE** the later of:

27 (i) The date the individual [first obtains the provisional license]
28 **URNS 18 YEARS OF AGE;**

1 (ii) [The] **18 MONTHS FOLLOWING THE** date the individual is
2 convicted of, or granted probation before judgment under § 6–220 of the Criminal Procedure
3 Article for:

4 1. A [moving] violation **OF § 21–902 OF THIS ARTICLE**; or

5 2. A violation of a provisional driver's license restriction
6 under [§ 16–113(i)] **§ 16–113(J)** of this subtitle; or

7 (iii) [The] **18 MONTHS FOLLOWING THE** date of restoration of an
8 individual's provisional driver's license or driving privilege that has been suspended,
9 revoked, or canceled for any reason.

10 (2) Notwithstanding any other provision of this subtitle, the
11 Administration may issue a license to an individual who was otherwise eligible to receive
12 a license at the time a moving violation was committed.

13 (e) (1) [Notwithstanding subsection (d) of this section or any other provision
14 of this subtitle, the] **THE** Administration may issue a provisional license to an individual
15 **WHO IS UNDER THE AGE OF 18 YEARS AND IS OTHERWISE ELIGIBLE FOR A**
16 **PROVISIONAL LICENSE AND** who has been licensed to drive in another state or country,
17 or by the armed forces [for less than 18 months].

18 [(2) If an individual has been licensed for:

19 (i) Less than 6 months, the individual shall hold the provisional
20 license for at least 18 months before being eligible for a license under § 16–111.1 of this
21 subtitle;

22 (ii) 6 months, but less than 12 months, the individual shall hold the
23 provisional license for at least 12 months before being eligible for a license under §
24 16–111.1 of this subtitle as long as the individual has not committed an offense as defined
25 in § 16–213(a) of this title during that period; or

26 (iii) 12 months, but less than 18 months, the individual shall hold the
27 provisional license for at least 6 months before being eligible for a license under § 16–111.1
28 of this subtitle as long as the individual has not committed an offense as defined in §
29 16–213(a) of this title during that period.]

30 **(2) SUBJECT TO SUBSECTION (D) OF THIS SECTION, AN INDIVIDUAL**
31 **WHO OBTAINS A PROVISIONAL LICENSE UNDER THIS SUBSECTION MAY OBTAIN A**
32 **DRIVER'S LICENSE ON OR AFTER THE DATE THE INDIVIDUAL TURNS 18 YEARS OF**
33 **AGE.**

34 (3) An individual who commits an offense as defined in § 16–213(a) of this
35 title while holding a provisional license issued under this subsection is subject to[:

1 (i) The waiting periods under subsection (d)(1)(ii) of this section
2 before qualifying for a license under § 16–111.1 of this subtitle; and

3 (ii) Other] sanctions applicable to a holder of a provisional license
4 under this article.

5 (4) [Notwithstanding § 16–103(c)(3) of this subtitle, the] **THE**
6 Administration may issue a license under § 16–111.1 of this subtitle without issuing a
7 learner’s instructional permit or a provisional license if the individual has been licensed to
8 drive in another state or country, or by the armed forces, [for at least 18 months] **IS AT**
9 **LEAST 18 YEARS OF AGE, AND OTHERWISE QUALIFIES FOR A DRIVER’S LICENSE.**

10 (f) A provisional license is subject to the expiration and renewal requirements of
11 § 16–115 of this subtitle.

12 16–111.1.

13 (a) An applicant is entitled to receive the driver’s license applied for if the
14 applicant:

15 (1) Passes the examination provided for in this subtitle;

16 (2) Surrenders the last learner’s instructional permit issued to him, if any;
17 and

18 (3) Pays the fees provided for by this subtitle.

19 (b) (1) This subsection applies to an applicant who holds a provisional license
20 under § 16–111 of this subtitle.

21 (2) An applicant is entitled to receive a license if the applicant:

22 (i) Meets the minimum age required under § 16–103(c)(3) of this
23 subtitle;

24 (ii) Satisfies the provisional license requirements under § 16–111(d)
25 or (e) of this subtitle;

26 (iii) Surrenders any provisional license issued to the applicant; and

27 (iv) Pays the fee established under this subtitle.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2026.