

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1338 (Delegate Ruth)
Environment and Transportation

Motor Vehicles - Driver's Licenses - Eligibility

This bill alters eligibility standards and requirements for the issuance of a provisional driver's license and original driver's license. Specifically, the bill eliminates the requirement to obtain a provisional driver's license for individuals age 18 or older who are seeking a full driver's license. As a result, individuals age 18 or older who hold a learner's instructional permit are generally able to obtain a full driver's license in an expedited manner under the bill. The bill also makes numerous technical and conforming changes.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues decrease, potentially by hundreds of thousands of dollars annually, beginning in FY 2027, as discussed below. TTF expenditures decrease minimally due to reduced mailing costs. The Motor Vehicle Administration (MVA) can make necessary programming changes with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: As shown in **Exhibit 1**, under current law, the amount of time a learner's instructional permit must be held prior to obtaining a provisional license varies based on several factors, including the individual's age and level of education. Drivers must hold a provisional license for a minimum of 18 months under current law and be conviction-free during that period in order to progress to a full driver's license.

Exhibit 1
Requirements for Obtaining a Provisional Driver's License* under Current Law

Applicable Age	≤ 18 (without HS Diploma)	18 (with HS Diploma)	19-24	≥ 25
Minimum holding period (for learner's instructional permit) before provisional license can be issued	9 months	3 months	3 months	45 days
Minimum holding period (for learner's instructional permit) before provisional license can be issued, if individual was convicted of, or granted probation before judgment for, a moving violation	9 months			
Supervised practice driving hours	60 hours of practice with experienced driver (who is 21 and held a valid license for at least 3 years), including 10 hours at night			14 hours of practice with experienced driver, including 3 hours at night
Maryland Certified Driver Education	30 classroom hours and 6 hours behind the wheel			

* Under current law, a provisional license is required to be held for 18 months prior to obtaining a full driver's license.

Note: HS Diploma refers to having either a high school diploma or its equivalent.

Source: Motor Vehicle Administration; Department of Legislative Services

Under the bill, a provisional license may not be issued to *any* individual who is age 18 or older. Therefore, existing statutory provisions related to provisional licenses are altered to conform with the elimination of provisional licenses for individuals age 18 or older. An individual age 18 or older who completes the educational and driver training requirements

(shown in **Exhibit 2**) may take a driver skills examination for a full driver’s license as soon as three months following the date when the individual first obtained the learner’s instructional permit (or nine months following the most recent date the individual was convicted of, or granted, probation before judgment for a moving violation). Similarly, an individual who is age 25 or older who holds a learner’s instructional permit may take a driver skills examination for a full driver’s license as soon as 45 days following the date the individual first obtained the learner’s instructional permit.

Exhibit 2
Requirements for Obtaining a Full Driver’s License under the Bill
Applicable to Individuals Age 18 or Older Only

Applicable Age	18-24	≥ 25
Minimum holding period (for learner’s instructional permit) before full license can be issued	3 months	45days
Minimum holding period (for learner’s instructional permit) before full license can be issued, if individual was convicted of, or granted probation before judgment for, a moving violation	9 months	
Supervised practice driving hours	60 hours of practice with experienced driver (who is 21 and held a valid license for at least 3 years), including 10 hours at night	14 hours of practice with experienced driver, including 3 hours at night
Maryland Certified Driver Education	30 classroom hours and 6 hours behind the wheel	

Source: Department of Legislative Services

Provisional License Alterations for Individuals Licensed to Drive in Another State

Under current law, special provisions apply for drivers (regardless of age) who have less than 18 months of experience and hold a license from another state or country. Specifically, the provisional license must be held for the minimum time periods specified below and the driver must remain free of moving violation convictions:

- Drivers previously licensed for less than 6 months must hold a Maryland provisional license for 18 months and be conviction-free.
- Drivers previously licensed for 6 to 12 months must hold a Maryland provisional license for 12 months and be conviction-free.
- Drivers previously licensed for between 12 and 18 months must hold a Maryland provisional license for 6 months and be conviction-free.

If convicted of a moving violation, regardless of age or experience, the driver is required to restart an 18-month time period with no additional moving violations (and is eligible to convert to a full driver's license when the 18 months have been completed).

The bill replaces the above provisions by specifying that MVA may issue a provisional license to an individual *who is younger than age 18 and is otherwise eligible for a provisional license* and who has been licensed to drive in another state or country, or by the armed forces. Moreover, the bill specifies that an individual who obtains a provisional license under these provisions may obtain a driver's license on or after the date that the individual turns 18 years of age. Even so, an individual age 18 or older must continue to wait 18 months following the date the individual is convicted of or granted probation before judgment under § 6-220 of the Criminal Procedure Article for a violation related to drugged and impaired driving.

Under current law, MVA may issue a license without issuing a learner's instructional permit or a provisional license if the individual has been licensed to drive in another state or country, or by the armed forces, for at least 18 months. Under the bill, the requirement to have been licensed previously for at least 18 months is repealed, and MVA may issue a driver's license without issuing a learner's instructional permit or a provisional license if the individual is at least 18 years old and otherwise qualifies for a driver's license.

State Fiscal Effect: TTF revenues decrease, potentially by hundreds of thousands of dollars annually, beginning in fiscal 2027. Specifically, MVA advises that when an individual's provisional period ends, in lieu of immediately issuing a standard driver's license, MVA mails a conversion card to be retained with the provisional license to represent that an individual has obtained a full driver's license. However, many applicants choose to purchase a duplicate license once the provisional period ends and pay the associated fee for a duplicate license. *For illustrative purposes only*, MVA estimates that

as many as 28,800 fewer duplicate licenses may be requested each year under the bill. Thus, at a cost of \$30 per duplicate license, TTF revenues could decrease by as much as \$648,000 in fiscal 2027 (due to the bill's October 1, 2026 effective date) and \$864,000 annually thereafter.

TTF expenditures decrease minimally (likely by less than \$30,000 in fiscal 2027 and by \$40,000 annually thereafter) due to reduced mailing costs.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 856 (Senator Sydnor) - Judicial Proceedings.

Information Source(s): Maryland Department of Transportation; Department of Legislative Services

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