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March 3, 2022

The Honorable Kumar P. Barve  
Chairman, House Environment and Transportation Committee  
Room 251 House Office Building  
Annapolis, MD 21401

***Re: Letter of Information – House Bill 1289 – Vehicle Laws – Learner's Instructional Permits and Identification Cards – Required Documents***

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 1289 but offers the following information for the Committee's consideration.

House Bill 1289 alters the acceptable documents required for customers under the age of 18 years when applying for a driver's license, learner's permit, or identification card from the MDOT Motor Vehicle Administration (MVA). The MDOT MVA would need two satisfactory proof of address documents in a parent or guardian's name to meet federal REAL ID requirements. Further, only a student attending a public school in the State of Maryland would need to provide a copy of a school attendance record when applying for a learner's permit.

Currently, the MDOT MVA has a procedure that allows a minor or dependent adult to satisfy federal REAL ID proof of address requirements without presenting two proof of address documents in that individual's name. A parent or guardian may present their own driver's license or identification card and sign the application stating that the child lives at the parent or guardian's address in lieu of providing proof of address documents, such as a bank statement or credit card bill, which can be difficult for a minor to acquire. This process has been carefully crafted with the US Department of Homeland Security (USDHS) to ensure the MDOT MVA meets federal REAL ID requirements.

House Bill 1289 would set requirements outside of existing USDHS certified processes, potentially leading to the USDHS decertifying the MDOT MVA REAL ID program. With the upcoming May 2023 deadline, it is important to maintain the REAL ID compliance of over 3.5 million current Maryland customers, as well as other Marylanders who continue to come into compliance each day.

Current Stat' law requires learner's permit applicants under the age of 16 to present a copy of their school attendance record showing they had fewer than 10 unexcused absences in the most recent prior school semester. House Bill 1289 would alter the requirement so only public-school students must provide the attendance verification. However, State law would still require the MDOT MVA verify that a student does not attend public school and therefore exempt from verifying school attendance.

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A component of House Bill 730 (2021) allowed for submission of a non-certified copy of attendance verification to be used by learner's permit applicants. Prior to that change, the MDOT MVA could only accept a certified copy, which may be difficult to obtain. Further issues arise from ongoing COVID-19 pandemic interruptions to in-person school attendance, which have resulted in the MDOT MVA accepting a parent's certification that students are meeting attendance requirements given the difficulty of remote learning.

The MDOT MVA will continue to advocate for customer service-oriented reforms that can be enacted within existing requirements and will continue to advocate for further federal reforms as warranted

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating House Bill 1289.

Respectfully submitted,

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