

HOUSE BILL 205

R4

7lr0908

By: **Delegate Dumais**

Introduced and read first time: January 20, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2017

CHAPTER _____

1 AN ACT concerning

2 **Drivers' Licenses – Learners' Permits – Minimum Duration**

3 FOR the purpose of reducing the period of time that certain individuals who are at least a
4 certain age and who hold a learner's instructional permit are required to wait before
5 taking certain examinations for a provisional driver's license; making a stylistic
6 change; and generally relating to requirements for obtaining a provisional driver's
7 license.

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 16–105(d) and 16–111(b)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2016 Supplement)

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

15 **Article – Transportation**

16 16–105.

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

18 (i) Seeks to obtain an original driver's license under this subtitle;

19 and

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.



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

(2) [An] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AN** individual under the age of [25] ~~19~~ **21** years who holds a learner's instructional permit may not take a driver skills examination or driver road examination for a provisional license:

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

1. The date that the individual first obtains the learner's instructional permit; or

2. The **MOST RECENT** date the individual was convicted of, or granted probation before judgment under § 6–220 of the Criminal Procedure Article for, a moving violation;

(ii) Until after successful completion of:

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

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

A. Holds a valid driver's license;

B. Is at least 21 years old; and

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

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

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

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

(3) AN INDIVIDUAL WHO HOLDS A LEARNER'S INSTRUCTIONAL PERMIT AND WHO IS ~~18 YEARS OLD AND HAS A HIGH SCHOOL DIPLOMA OR ITS~~

~~EQUIVALENT OR IS AT LEAST 19~~ AT LEAST 21 YEARS OLD BUT UNDER THE AGE OF 25 YEARS OLD MAY NOT TAKE A DRIVER SKILLS EXAMINATION OR DRIVER ROAD EXAMINATION FOR A PROVISIONAL LICENSE:

(I) SOONER THAN THE LATER OF:

1. 3 MONTHS FOLLOWING THE DATE THAT THE INDIVIDUAL FIRST OBTAINS THE LEARNER'S INSTRUCTIONAL PERMIT; OR

2. 9 MONTHS FOLLOWING THE MOST RECENT DATE THE INDIVIDUAL WAS CONVICTED OF, OR GRANTED PROBATION BEFORE JUDGMENT FOR, A MOVING VIOLATION;

(II) UNTIL AFTER SUCCESSFUL COMPLETION OF:

1. A STANDARD DRIVER EDUCATION PROGRAM APPROVED UNDER SUBTITLE 5 OF THIS TITLE, CONSISTING OF AT LEAST 30 HOURS OF CLASSROOM INSTRUCTION AND AT LEAST 6 HOURS OF HIGHWAY DRIVING INSTRUCTION; AND

2. AT LEAST ~~30~~ 60 HOURS, ~~5~~ 10 HOURS OF WHICH MUST OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND ENDING 30 MINUTES AFTER SUNRISE, OF BEHIND-THE-WHEEL DRIVING PRACTICE SUPERVISED BY AN INDIVIDUAL WHO:

A. HOLDS A VALID DRIVER'S LICENSE;

B. IS AT LEAST 21 YEARS OLD; AND

C. HAS BEEN LICENSED TO DRIVE FOR AT LEAST 3 YEARS; AND

(III) UNLESS THE INDIVIDUAL SUBMITS, IN ACCORDANCE WITH THE ADMINISTRATION'S REGULATIONS, A COMPLETED SKILLS LOG BOOK SIGNED BY EACH SUPERVISING DRIVER WHO CERTIFIES THAT THE INDIVIDUAL HAS SATISFACTORILY DEMONSTRATED A REQUIRED SKILL AND HAS COMPLETED THE DRIVING PRACTICE REQUIREMENTS UNDER THIS PARAGRAPH.

[(3)] (4) An individual at least 25 years old who holds a learner's instructional permit and has not been convicted of, or granted probation before judgment for, a moving violation may not take a driver skills examination or driver road examination for a provisional license:

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

(ii) Until after successful completion of:

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

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

A. Holds a valid driver's license;

B. Is at least 21 years old; and

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

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

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

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

(ii) Until after successful completion of:

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

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

A. Holds a valid driver's license;

B. Is at least 21 years old; and

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

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

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

16-111.

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

(1) Meets the minimum age required under § 16-103(c)(2) of this subtitle;

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

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

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

(5) Pays the fee established under this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.