

HOUSE BILL 394

R4
HB 205/17 – ENV

8lr2422
CF 8lr2423

By: **Delegate Dumais**

Introduced and read first time: January 24, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Driver's Licenses – Learner's 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 2017 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

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

22 (2) **[An] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **SUBSECTION, AN** individual under the age of [25] **19** years who holds a learner's
2 instructional permit may not take a driver skills examination or driver road examination
3 for a provisional license:

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

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

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

10 (ii) Until after successful completion of:

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

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

17 A. Holds a valid driver's license;

18 B. Is at least 21 years old; and

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

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

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

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

28 **(3) AN INDIVIDUAL WHO HOLDS A LEARNER'S INSTRUCTIONAL**
29 **PERMIT AND WHO IS 18 YEARS OLD AND HAS A HIGH SCHOOL DIPLOMA OR ITS**
30 **EQUIVALENT OR IS AT LEAST 19 YEARS OLD BUT UNDER THE AGE OF 25 YEARS MAY**
31 **NOT TAKE A DRIVER SKILLS EXAMINATION OR DRIVER ROAD EXAMINATION FOR A**
32 **PROVISIONAL LICENSE:**

1 (I) SOONER THAN THE LATER OF:

2 1. 3 MONTHS FOLLOWING THE DATE THAT THE
3 INDIVIDUAL FIRST OBTAINS THE LEARNER'S INSTRUCTIONAL PERMIT; OR

4 2. 9 MONTHS FOLLOWING THE MOST RECENT DATE THE
5 INDIVIDUAL WAS CONVICTED OF, OR GRANTED PROBATION BEFORE JUDGMENT
6 FOR, A MOVING VIOLATION;

7 (II) UNTIL AFTER SUCCESSFUL COMPLETION OF:

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

12 2. AT LEAST 60 HOURS, 10 HOURS OF WHICH MUST
13 OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND ENDING
14 30 MINUTES AFTER SUNRISE, OF BEHIND-THE-WHEEL DRIVING PRACTICE
15 SUPERVISED BY AN INDIVIDUAL WHO:

16 A. HOLDS A VALID DRIVER'S LICENSE;

17 B. IS AT LEAST 21 YEARS OLD; AND

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

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

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

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

31 (ii) Until after successful completion of:

1 1. A standard driver education program approved under
2 Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least
3 6 hours of highway driving instruction; and

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

7 A. Holds a valid driver's license;

8 B. Is at least 21 years old; and

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

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

14 **[(4)] (5)** An individual at least 25 years old who holds a learner's
15 instructional permit and has been convicted of, or granted probation before judgment for,
16 at least one moving violation may not take a driver skills examination or driver road
17 examination for a provisional license:

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

20 (ii) Until after successful completion of:

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

24 2. At least 14 hours, 3 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

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

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

3 16-111.

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

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

6 (2) Satisfies the learner's instructional permit requirements under §
7 16-105(d)(2), (3), ~~[or]~~ (4), **OR (5)** of this subtitle;

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

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

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2018.