

SENATE BILL 173

R4

EMERGENCY BILL

0lr1708
CF HB 28

By: **Senator Hester**

Introduced and read first time: January 13, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Driver’s Licenses Confiscated for Real ID Compliance – Failure**
3 **to Possess or Display**

4 FOR the purpose of establishing an exception to certain requirements that an individual
5 possess or display a driver’s license under certain circumstances if the individual’s
6 license has been confiscated by a law enforcement officer within a certain amount of
7 time for failure to submit certain documents to the Motor Vehicle Administration;
8 making this Act an emergency measure; providing for the termination of this Act;
9 and generally relating to requirements to possess or display a driver’s license.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 16–112
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2019 Supplement)

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

17 **Article – Transportation**

18 16–112.

19 (a) (1) In this section the following words have the meanings indicated.

20 (2) “Credential holder” has the meaning stated in § 16–1001 of this title.

21 (3) “Display” means the manual surrender of the licensee’s license into the
22 hands of the demanding officer for inspection.

23 (4) “Electronic credential” has the meaning stated in § 16–1001 of this title.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) [Each] **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,**
2 **EACH** individual driving a motor vehicle on any highway in this State shall have his license
3 with him.

4 (c) (1) [Each] **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS**
5 **SECTION, EACH** individual driving a motor vehicle on any highway in this State shall
6 display the license to any uniformed police officer who demands it.

7 (2) A credential holder is deemed to have satisfied the display requirement
8 under paragraph (1) of this subsection only if the uniformed police officer is able to access
9 the verification system authorized under § 16–1003 of this title.

10 (d) **SUBSECTIONS (B) AND (C) OF THIS SECTION DO NOT APPLY TO AN**
11 **INDIVIDUAL WHOSE LICENSE HAS BEEN CONFISCATED BY A LAW ENFORCEMENT**
12 **OFFICER WITHIN THE PREVIOUS 90 DAYS FOR FAILURE TO SUBMIT THE DOCUMENTS**
13 **REQUIRED UNDER § 16–106 OF THIS SUBTITLE.**

14 (E) Each individual driving a motor vehicle on any highway in this State shall, if
15 requested by the officer, sign his usual signature in the presence of the officer so that the
16 officer may determine whether he is the licensee.

17 [(e)] (F) A person may not give the name of another person or give a false or
18 fictitious name to any uniformed police officer who is attempting to determine the identity
19 of a driver of a motor vehicle.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
21 measure, is necessary for the immediate preservation of the public health or safety, has
22 been passed by a ye and nay vote supported by three–fifths of all the members elected to
23 each of the two Houses of the General Assembly, and shall take effect from the date it is
24 enacted. It shall remain effective through December 31, 2024, and, at the end of December
25 31, 2024, this Act, with no further action required by the General Assembly, shall be
26 abrogated and of no further force and effect.