

SENATE BILL 709

R4

3lr0024

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 2, 2023

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Commercial Driver’s Licenses and Instructional Permits**
3 **– Revisions**

4 FOR the purpose of altering the expiration date for a commercial driver’s instructional
5 permit held by certain individuals; exempting a holder of a commercial driver’s
6 license who applies for renewal from the requirement to pass a vision test if the
7 holder has a current certificate of physical examination on file with the Motor Vehicle
8 Administration; and generally relating to commercial driver’s licenses and
9 instructional permits.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 16–105(a)
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2022 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 16–105(e) and 16–115(i)
18 Annotated Code of Maryland
19 (2020 Replacement Volume and 2022 Supplement)

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

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.



Article – Transportation

1

2 16–105.

3 (a) (1) Any individual who desires to obtain an original driver's license under
4 this subtitle or to be licensed in a class for which the individual is not already licensed
5 under this subtitle shall apply to the Administration for the desired driver's license.

6 (2) Except as provided in subsection (f) of this section, before issuing a
7 driver's license, the Administration shall issue to each applicant a learner's instructional
8 permit. The learner's instructional permit shall identify clearly the class of license for which
9 the applicant has applied.

10 (3) (i) Each applicant for a learner's instructional permit who is under
11 the age of 16 years shall present to the Administration a copy of the applicant's school
12 attendance record.

13 (ii) The Administration may not issue a learner's instructional
14 permit to an applicant under the age of 16 years if the applicant's school attendance record
15 indicates more than 10 unexcused absences during the prior school semester.

16 (e) (1) This subsection only applies to an individual who holds a license and
17 who seeks a different class license to drive a motor vehicle that, under the individual's
18 current license, the individual is not authorized to drive.

19 (2) The holder of a learner's instructional permit may not take the driver's
20 license examination sooner than 14 days after the permit is issued.

21 (3) The 14 days' requirement may be waived if a subsequent learner's
22 instructional permit is issued or applied for.

23 (4) A learner's instructional permit issued to an individual described in
24 paragraph (1) of this subsection expires 180 days after date of issuance.

25 **(5) A COMMERCIAL DRIVER'S INSTRUCTIONAL PERMIT ISSUED TO AN**
26 **INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION EXPIRES 1 YEAR**
27 **AFTER THE DATE OF ISSUANCE.**

28 16–115.

29 (i) (1) Except as provided in paragraphs (2) [and], (3), **AND (5)** of this
30 subsection, the Administration shall require every individual applying for renewal of a
31 driver's license to pass a vision test as prescribed by the Administration.

32 (2) (i) The Administration shall accept a certification of acceptable
33 visual acuity from a licensed physician or optometrist instead of requiring the actual test

1 provided for in this subsection.

2 (ii) The examination for which certification is made shall take place
3 within 2 years of the date of application for renewal.

4 (3) An individual at least 21 years of age but under the age of 40 years may
5 apply for renewal of a driver’s license electronically or by mail or other means authorized
6 by the Administration without taking a vision test if the applicant has passed a vision test
7 authorized by the Administration within the previous 9 years.

8 (4) (i) If the Administration has reason to believe that an individual is
9 a safety hazard by reason of a vision deficiency, the Administration may require the vision
10 test provided for in this subsection at a time other than renewal of a driver’s license.

11 (ii) The Administration may adopt regulations to implement the
12 provisions of this subsection.

13 **(5) AN INDIVIDUAL WHO HOLDS A COMMERCIAL DRIVER’S LICENSE**
14 **AND APPLIES FOR RENEWAL IS EXEMPT FROM THE REQUIREMENT TO PASS A VISION**
15 **TEST IF THE INDIVIDUAL HAS A CURRENT CERTIFICATE OF PHYSICAL EXAMINATION**
16 **ON FILE WITH THE ADMINISTRATION, AS REQUIRED UNDER 49 C.F.R. §§ 391.43 AND**
17 **391.45.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.