

# HOUSE BILL 292

R4

(2lr1794)

## ENROLLED BILL

— *Environmental Matters/Judicial Proceedings* —

Introduced by **Delegates Glenn, Anderson, Beidle, Conaway, Gilchrist, Hammen, McHale, McMillan, Mitchell, Niemann, Otto, B. Robinson, S. Robinson, Stein, Stukes, Tarrant, Vitale, Washington, and Wilson**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws – Provisional Driver’s Licenses – Driver Education**  
3 **Requirements**

4 FOR the purpose of reducing the period of time that certain individuals at least a  
5 certain age who hold a learner’s instructional permit are required to wait before  
6 taking certain examinations for a provisional driver’s license; ~~establishing that~~  
7 altering certain driving practice requirements ~~and a requirement to complete a~~  
8 ~~certain driver skills log book~~ before taking certain examinations for a  
9 provisional driver’s license ~~do not~~ that apply to an individual at least a certain  
10 age; and generally relating to driver education requirements for obtaining a  
11 provisional driver’s license.

12 BY repealing and reenacting, with amendments,

---

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.

*Italics* indicate opposite chamber/conference committee amendments.



1 Article – Transportation  
2 Section 16–105(d) and 16–111(b)  
3 Annotated Code of Maryland  
4 (2009 Replacement Volume and 2011 Supplement)

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

7 **Article – Transportation**

8 16–105.

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

10 (i) Seeks to obtain an original driver’s license under this  
11 subtitle; and

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

14 (2) An individual **UNDER THE AGE OF 25 YEARS** who holds a  
15 learner’s instructional permit may not take a driver skills examination or driver road  
16 examination for a provisional license:

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

18 1. The date that the individual first obtains the learner’s  
19 instructional permit; or

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

23 (ii) Until after successful completion of:

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

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

30 A. Holds a valid driver’s license;

31 B. Is at least 21 years old; and

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

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

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

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

10 **(3) AN INDIVIDUAL AT LEAST 25 YEARS OLD WHO HOLDS A  
11 LEARNER'S INSTRUCTIONAL PERMIT AND HAS NOT BEEN CONVICTED OF, OR  
12 GRANTED PROBATION BEFORE JUDGMENT FOR, A MOVING VIOLATION MAY NOT  
13 TAKE A DRIVER SKILLS EXAMINATION OR DRIVER ROAD EXAMINATION FOR A  
14 PROVISIONAL LICENSE:**

15 **(I) SOONER THAN 45 DAYS FOLLOWING THE DATE THAT  
16 THE INDIVIDUAL FIRST OBTAINS THE LEARNER'S INSTRUCTIONAL PERMIT; ~~AND~~**

17 **(II) UNTIL AFTER SUCCESSFUL COMPLETION OF ~~A~~:**

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

22 **2. AT LEAST ~~19~~ 14 HOURS, 3 HOURS OF WHICH MUST  
23 OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND  
24 ENDING 30 MINUTES AFTER SUNRISE, OF BEHIND-THE-WHEEL DRIVING  
25 PRACTICE SUPERVISED BY AN INDIVIDUAL WHO:**

26 **A. HOLDS A VALID DRIVER'S LICENSE;**

27 **B. IS AT LEAST 21 YEARS OLD; AND**

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

30 **(III) UNLESS THE INDIVIDUAL SUBMITS, IN ACCORDANCE  
31 WITH THE ADMINISTRATION'S REGULATIONS, A COMPLETED SKILLS LOG BOOK  
32 SIGNED BY EACH SUPERVISING DRIVER WHO CERTIFIES THAT THE INDIVIDUAL**

1 HAS SATISFACTORILY DEMONSTRATED A REQUIRED SKILL AND HAS  
 2 COMPLETED THE DRIVING PRACTICE REQUIREMENTS UNDER THIS PARAGRAPH.

3 (4) AN INDIVIDUAL AT LEAST 25 YEARS OLD WHO HOLDS A  
 4 LEARNER'S INSTRUCTIONAL PERMIT AND HAS BEEN CONVICTED OF, OR  
 5 GRANTED PROBATION BEFORE JUDGMENT FOR, AT LEAST ONE MOVING  
 6 VIOLATION MAY NOT TAKE A DRIVER SKILLS EXAMINATION OR DRIVER ROAD  
 7 EXAMINATION FOR A PROVISIONAL LICENSE:

8 (I) SOONER THAN 9 MONTHS FOLLOWING THE MOST  
 9 RECENT DATE THE INDIVIDUAL WAS CONVICTED OF, OR GRANTED PROBATION  
 10 BEFORE JUDGMENT FOR, A MOVING VIOLATION; ~~AND~~

11 (II) UNTIL AFTER SUCCESSFUL COMPLETION OF ~~A~~:

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

16 2. AT LEAST ~~19~~ 14 HOURS, 3 HOURS OF WHICH MUST  
 17 OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND  
 18 ENDING 30 MINUTES AFTER SUNRISE, OF BEHIND-THE-WHEEL DRIVING  
 19 PRACTICE SUPERVISED BY AN INDIVIDUAL WHO:

20 A. HOLDS A VALID DRIVER'S LICENSE;

21 B. IS AT LEAST 21 YEARS OLD; AND

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

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

29 [(3)] (5) A learner's instructional permit issued to an individual  
 30 described in paragraph (1) of this subsection expires 2 years after the date of issuance.

31 16-111.

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

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

3                   (2) Satisfies the learner’s instructional permit requirements under §  
4 16–105(d)(2), **(3)**, **OR (4)** of this subtitle;

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

7                   (4) Surrenders any learner’s instructional permit issued to the  
8 applicant; and

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

10                 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2012.

Approved:

---

Governor.

---

Speaker of the House of Delegates.

---

President of the Senate.