

HOUSE BILL 1221

R5, R4

0lr2782

By: **Delegate Bronrott**

Introduced and read first time: February 18, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Safe Roads For Teens Act**

3 FOR the purpose of altering the hours during which a holder of a provisional driver's
4 license under a certain age may drive unsupervised; modifying a certain license
5 restriction that prohibits a certain holder of a provisional driver's license from
6 driving a motor vehicle carrying certain passengers under certain
7 circumstances; repealing certain provisions requiring that certain restrictions
8 on a holder of a provisional driver's license under a certain age related to
9 passengers and the use of wireless communication devices be enforced as a
10 secondary action; and generally relating to provisional driver's license
11 restrictions.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 16–113(d), 21–1123, and 21–1124
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2009 Supplement)

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

19 **Article – Transportation**

20 16–113.

21 (d) (1) Notwithstanding the licensee's driving record, the Administration
22 shall impose an hour restriction on a provisional driver's license issued to an applicant
23 under the age of 18.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The restriction under this subsection shall limit the holder of a
2 provisional license to driving unsupervised only between the hours of 5 a.m. and [12
3 midnight] **10 P.M. THE SAME DAY.**

4 (3) This subsection does not preclude the holder of a provisional
5 license from driving between the hours of [12 midnight] **10 P.M.** and 5 a.m. the
6 following day if the licensee is:

7 (i) Accompanied and supervised by a licensed driver who is at
8 least 21 years old;

9 (ii) Driving to or from or in the course of the licensee's
10 employment;

11 (iii) Driving to or from a school class or official school activity;

12 (iv) Driving to or from an organized volunteer program; or

13 (v) Driving to or from an opportunity to participate in an
14 athletic event or related training session.

15 (4) The hour restriction and the supervision requirement under this
16 subsection expire on the date the holder of the provisional license turns 18 years of
17 age.

18 21-1123.

19 (a) (1) The provisions of this subsection do not apply if the holder of the
20 provisional driver's license is driving while accompanied by and under the immediate
21 supervision of an individual who:

22 (i) Is at least 21 years old;

23 (ii) Has been licensed for at least 3 years in this State or in
24 another state to drive vehicles of the class then being driven by the holder of the
25 provisional driver's license; and

26 (iii) Is seated beside the holder of the provisional driver's license.

27 (2) Except as provided in paragraph (3) of this subsection, a holder of a
28 provisional driver's license who is under the age of 18 years may not drive a motor
29 vehicle with [a]:

30 **(I) UNTIL THE 151ST DAY AFTER THE PROVISIONAL**
31 **LICENSE WAS ISSUED, ANY PASSENGER WHO IS UNDER THE AGE OF 21 YEARS;**
32 **AND**

1 **(II) AFTER THE 150TH DAY FROM THE DATE OF ISSUANCE,**
2 **MORE THAN ONE** passenger under the age of **[18] 21** years.

3 (3) The prohibition under paragraph (2) of this subsection~~]~~:

4 (i) Shall be in effect from the date the provisional license is
5 originally issued until the 151st day after the provisional license was issued; and

6 (ii) ~~Does]~~ **DOES** not apply to a passenger who is:

7 **[1.] (I)** A spouse, daughter, son, stepdaughter, stepson,
8 sister, brother, stepsister, or stepbrother of the licensee; or

9 **[2.] (II)** A relative of the licensee who resides at the
10 same address as the licensee.

11 (b) ~~[A police officer may enforce this section only as a secondary action when~~
12 ~~the police officer detains a driver for a suspected violation of another provision of the~~
13 ~~Code.~~

14 (c) A violation of this section is a moving violation for the purposes of §
15 16–402 of this article.

16 **[(d)] (C)** (1) If the Administration receives satisfactory evidence that an
17 individual has violated this section, the Administration may suspend or revoke the
18 individual’s driver’s license.

19 (2) An individual may request a hearing as provided for a suspension
20 or revocation under Title 16, Subtitle 2 of this article.

21 21–1124.

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

23 (2) “9–1–1 system” has the meaning stated in § 1–301 of the Public
24 Safety Article.

25 (3) “Wireless communication device” means:

26 (i) A handheld or hands–free device used to access a wireless
27 telephone service; or

28 (ii) A text messaging device.

29 (b) This section does not apply to the use of a wireless communication device
30 to contact a 9–1–1 system.

1 (c) A holder of a learner's instructional permit or a provisional driver's
2 license who is under the age of 18 years may not use a wireless communication device
3 while operating a motor vehicle.

4 (d) [A police officer may enforce this section only as a secondary action when
5 the police officer detains a driver for a suspected violation of another provision of the
6 Code.

7 (e)] (1) If the Administration receives satisfactory evidence that an
8 individual has violated this section, the Administration:

9 (i) May suspend the individual's driver's license for not more
10 than 90 days; and

11 (ii) May issue a restricted license for the period of suspension
12 that is limited to driving a motor vehicle:

13 1. In the course of the individual's employment;

14 2. For the purpose of driving to or from a place of
15 employment; or

16 3. For the purpose of driving to or from school.

17 (2) An individual may request a hearing as provided for a suspension
18 or revocation under Title 12, Subtitle 2 of this article.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2010.