

SENATE BILL 196

R4
HB 13/18 – ENV

9lr1245

By: **Senators Smith, Carter, Elfreth, Ellis, Ferguson, Guzzone, Kagan, Lee, Pinsky, Rosapepe, Waldstreicher, Washington, West, Young, Zirkin, and Zucker**
Introduced and read first time: January 23, 2019
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Licenses, Identification Cards, and Moped Operator’s Permits –**
3 **Indication of Applicant’s Sex**

4 FOR the purpose of requiring that an application for a license, an identification card, or a
5 moped operator’s permit allow an applicant to indicate the applicant’s sex in a
6 certain manner; requiring the Motor Vehicle Administration to ensure that the
7 license, identification card, or moped operator’s permit of an applicant who indicates
8 that the applicant’s sex is unspecified displays a certain notation in the location that
9 indicates the applicant’s sex; prohibiting the Administration from requiring a certain
10 applicant to provide proof of the applicant’s sex; prohibiting the Administration from
11 denying a certain application under certain circumstances; and generally relating to
12 licenses, identification cards, and moped operator’s permits.

13 BY repealing and reenacting, without amendments,
14 Article – Transportation
15 Section 11–128 and 11–135
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2018 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 12–305
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2018 Supplement)

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

25 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 11–128.

2 “License”, as used in reference to the operation of a motor vehicle, means any:

3 (1) Driver’s license; and

4 (2) Any other license or permit to drive a motor vehicle that is issued under
5 or granted by the laws of this State, including:

6 (i) Any temporary license;

7 (ii) A learner’s instructional permit;

8 (iii) A provisional license;

9 (iv) The privilege of any individual to drive a motor vehicle, whether
10 or not that individual is formally licensed by this or any other jurisdiction;

11 (v) Any nonresident’s privilege to drive, as defined in this subtitle;
12 and

13 (vi) A commercial driver’s license.

14 11–135.

15 (a) (1) “Motor vehicle” means, except as provided in subsection (b) of this
16 section, a vehicle that:

17 (i) Is self–propelled or propelled by electric power obtained from
18 overhead electrical wires; and

19 (ii) Is not operated on rails.

20 (2) “Motor vehicle” includes a low speed vehicle.

21 (b) “Motor vehicle” does not include:

22 (1) A moped, as defined in § 11–134.1 of this subtitle;

23 (2) A motor scooter, as defined in § 11–134.5 of this subtitle; or

24 (3) An electric bicycle, as defined in § 11–117.1 of this subtitle.

25 **12–305.**

26 **(A) AN APPLICATION FOR A LICENSE, AN IDENTIFICATION CARD, OR A**
27 **MOPED OPERATOR’S PERMIT SHALL ALLOW AN APPLICANT TO INDICATE THAT THE**

1 **SEX THE APPLICANT IDENTIFIES AS IS:**

2 **(1) FEMALE;**

3 **(2) MALE; OR**

4 **(3) UNSPECIFIED.**

5 **(B) THE ADMINISTRATION SHALL ENSURE THAT THE LICENSE,**
6 **IDENTIFICATION CARD, OR MOPED OPERATOR'S PERMIT OF AN APPLICANT WHO HAS**
7 **INDICATED AN UNSPECIFIED SEX ON AN APPLICATION DISPLAYS AN "X" IN THE**
8 **LOCATION ON THE LICENSE, IDENTIFICATION CARD, OR MOPED OPERATOR'S**
9 **PERMIT THAT INDICATES THE APPLICANT'S SEX.**

10 **(C) THE ADMINISTRATION MAY NOT:**

11 **(1) REQUIRE AN APPLICANT FOR A LICENSE, AN IDENTIFICATION**
12 **CARD, OR A MOPED OPERATOR'S PERMIT TO PROVIDE PROOF OF THE APPLICANT'S**
13 **SEX; OR**

14 **(2) DENY AN APPLICATION FOR A LICENSE, AN IDENTIFICATION**
15 **CARD, OR A MOPED OPERATOR'S PERMIT BECAUSE THE SEX SELECTED BY THE**
16 **APPLICANT DOES NOT MATCH THE SEX INDICATED ON ANOTHER DOCUMENT**
17 **ASSOCIATED WITH THE APPLICANT.**

18 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
19 **October 1, 2019.**