

Chapter 649

(Senate Bill 196)

AN ACT concerning

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

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

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

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

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

Article – Transportation

11–128.

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

- (1) Driver’s license; and
- (2) Any other license or permit to drive a motor vehicle that is issued under or granted by the laws of this State, including:
 - (i) Any temporary license;

- (ii) A learner's instructional permit;
 - (iii) A provisional license;
 - (iv) The privilege of any individual to drive a motor vehicle, whether or not that individual is formally licensed by this or any other jurisdiction;
 - (v) Any nonresident's privilege to drive, as defined in this subtitle;
- and
- (vi) A commercial driver's license.

11-135.

(a) (1) "Motor vehicle" means, except as provided in subsection (b) of this section, a vehicle that:

- (i) Is self-propelled or propelled by electric power obtained from overhead electrical wires; and
- (ii) Is not operated on rails.

(2) "Motor vehicle" includes a low speed vehicle.

(b) "Motor vehicle" does not include:

- (1) A moped, as defined in § 11-134.1 of this subtitle;
- (2) A motor scooter, as defined in § 11-134.5 of this subtitle; or
- (3) An electric bicycle, as defined in § 11-117.1 of this subtitle.

12-305.

(A) AN APPLICATION FOR A LICENSE, AN IDENTIFICATION CARD, OR A MOPED OPERATOR'S PERMIT SHALL ALLOW AN APPLICANT TO INDICATE THAT THE SEX THE APPLICANT IDENTIFIES AS IS:

- (1) FEMALE;**
- (2) MALE; OR**
- (3) UNSPECIFIED OR OTHER.**

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

(C) THE ADMINISTRATION MAY NOT:

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

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

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.