

**Department of Legislative Services**  
Maryland General Assembly  
2018 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 394 (Delegate Dumais)

Environment and Transportation

Judicial Proceedings

**Driver's Licenses – Learner's Permits – Minimum Duration**

This bill reduces the period of time, from nine months to three months, during which certain adults younger than age 25 who hold a learner's instructional permit must wait before taking a driver skills examination or driver road examination for a provisional license. However, this waiting period is not reduced for such learner's instructional permit holders who have been convicted of, or granted probation before judgment for, a moving violation.

**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF), general fund, and special fund revenues increase due to the collection of various fees beginning in FY 2019. TTF expenditures increase by \$90,000 in FY 2019 only for reprogramming changes, although workloads may increase as additional learner's permit holders receive driver's licenses.

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
GF/SF Revenue	-	-	-	-	-
SF Expenditure	\$90,000	\$0	\$0	\$0	\$0
Net Effect	(\$90,000)	-	-	-	-

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Local highway user revenues increase from the distribution of additional vehicle-related fees into the Gasoline and Motor Vehicle Revenue Account. Expenditures are not affected.

**Small Business Effect:** Potential meaningful.

## Analysis

**Bill Summary:** The holder of a learner's instructional permit *younger than age 19* is generally prohibited from taking a driver skills or road examination for a provisional license within nine months from the date of issuance of the learner's permit or from the most recent date of conviction, or the granting of probation before judgment, for a moving violation. The learner's permit holder must also successfully complete an approved driver education program consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction, as well as at least 60 hours of driving practice (including 10 hours of nighttime driving) supervised by a licensed driver who is 21 or older and has been licensed for three or more years. A learner's permit holder also has to submit a completed skills log book with the signatures of supervising drivers.

The holder of a learner's instructional permit who is *at least 18 years old and has a high school diploma* (or its equivalent), or who is *at least 19 years old but younger than 25*, is prohibited from taking a driver skills or road examination for a provisional license within three months from the date of issuance of the learner's permit or within nine months from the most recent date of conviction, or the granting of probation before judgment, for a moving violation. The learner's permit holder must also successfully complete an approved driver education program consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction, as well as at least 60 hours of driving practice (including 10 hours of nighttime driving) supervised by a licensed driver who is 21 or older and has been licensed for three or more years. The individual must also submit a completed skills log book with the signatures of supervising drivers.

**Current Law:** The holder of a learner's instructional permit *younger than age 25* is prohibited from taking a driver skills or road examination for a provisional license within nine months from the date of issuance of the learner's permit or from the date of conviction, or the granting of probation before judgment, for a moving violation. A learner's permit holder must also successfully complete an approved driver education program consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction, as well as at least 60 hours of driving practice (including 10 hours of nighttime driving) supervised by a licensed driver who is 21 or older and has been licensed for three or more years. A learner's permit holder also has to submit a completed skills log book with the signatures of supervising drivers.

The holder of a learner's instructional permit *age 25 or older* is prohibited from taking a driver skills or road examination for a provisional license within 45 days from the date of issuance of the learner's permit. Any learner's instructional permit holder age 25 or older must also complete at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction as well as at least 14 hours of specified driving practice and must submit a completed skills log book. The waiting period is not reduced (*i.e.*, remains

nine months) for a learner's instructional permit holder age 25 or older who has been convicted of, or granted probation before judgment for, a moving violation.

**Background:** Chapter 483 of 1998 established the provisional driver's licensing system, which became effective on July 1, 1999. According to the National Conference of State Legislatures, all 50 states have now enacted some form of a graduated driver's license process, which includes a three-stage licensing system consisting of a learner's permit, an intermediate or provisional license, and a permanent license.

Chapter 453 of 2005 lengthened, from four months to six months, the waiting period before the holder of a learner's permit can take the driver skills and road examinations. Chapters 184 and 185 of 2009 lengthened this waiting period again from six months to nine months. Neither Act made a distinction between minor and adult learner's permit holders. Chapter 246 of 2012 reduced the period of time, from nine months to 45 days, during which a learner's instructional permit holder age 25 or older had to wait before taking a driver skills or road examination necessary to obtain a provisional driver's license. The waiting period was not reduced for a learner's instructional permit holder who has been convicted of, or granted probation before judgment for, a moving violation.

**State Fiscal Effect:** The Motor Vehicle Administration (MVA) advises that reprogramming changes are required in order to implement the bill's changes. In total, MVA estimates that 600 hours of reprogramming changes must be performed by an outside vendor. The total cost is \$90,000 in fiscal 2019. Additional internal reprogramming changes can be handled with existing resources.

TTF, general fund, and special fund revenues increase due to the collection of various fees as more individuals apply for learner's instructional permits, become eligible for provisional and full driver's licenses following completion of driver education programs, and purchase and maintain registered vehicles. The revenue increase is likely to be greatest in fiscal 2019 and 2020 as adults younger than age 25 without learner's instructional permits or driver's licenses attempt to obtain one and due to the immediate qualification of a small number of adult learner's instructional permit holders whose waiting period to obtain a license has already exceeded three months.

The Department of Legislative Services advises that a reliable estimate of the increased collection of various vehicle-related fees by MVA cannot be made at this time due to numerous uncertainties.

**Small Business Effect:** Small driver education schools benefit to the extent that a greater number of individuals enroll in driver education schools and obtain a full driver's license sooner than they otherwise would.

### **Additional Information**

**Prior Introductions:** HB 205 of 2017, a similar bill as amended, passed the House and was heard in the Senate Judicial Proceedings Committee, but no further action was taken.

**Cross File:** SB 424 (Senator Zirkin) - Judicial Proceedings.

**Information Source(s):** Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 5, 2018  
md/ljm Third Reader - March 9, 2018

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