

HOUSE BILL 945

R4

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By: **Delegates Frush, Healey, Hubbard, McDonough, B. Robinson, and Sophocleus**

Introduced and read first time: February 10, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Registration Restrictions**

3 FOR the purpose of requiring the Motor Vehicle Administration to notify in writing at
4 certain times an owner of a vehicle registered in the State of any restriction
5 placed on the registration of the vehicle and the reason for the placement of the
6 restriction; requiring the Administration to notify immediately in writing an
7 owner of a vehicle registered in the State of any rescission of a restriction on the
8 vehicle's registration; clarifying that the Administration is required to refuse to
9 register or transfer the registration of a vehicle if the vehicle registration is
10 subject to certain restrictions; and generally relating to vehicle registration
11 restrictions.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 13–406 and 26–305
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2011 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 13–406.

21 The Administration shall refuse to register or transfer the registration of any
22 vehicle if:

23 (1) The application contains any false or fraudulent statement;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The applicant has failed to furnish information or documents
2 required or requested by the Administration;

3 (3) Any required fee has not been paid;

4 (4) The applicant is not entitled to registration of the vehicle under the
5 Maryland Vehicle Law;

6 (5) The vehicle is mechanically unfit or unsafe to be operated on the
7 highways;

8 (6) The registration of the vehicle is suspended or revoked;

9 (7) **THE REGISTRATION OF THE VEHICLE IS SUBJECT TO A**
10 **RESTRICTION FOR FAILURE TO PAY A FINE, FILE A NOTICE OF INTENTION TO**
11 **STAND TRIAL, OR APPEAR FOR TRIAL UNDER § 26–305 OF THIS ARTICLE;**

12 (8) A warrant for a motor vehicle violation under the Maryland
13 Vehicle Law has been issued against the applicant and has not been served on the
14 applicant;

15 ~~[(8)]~~ (9) Subject to § 13–406.1 of this subtitle, the applicant is named
16 in an outstanding arrest warrant;

17 ~~[(9)]~~ (10) The Administration has reasonable grounds to believe:

18 (i) That the vehicle is stolen;

19 (ii) That the grant or transfer of registration would be a fraud
20 against another person; or

21 (iii) That the vehicle does not comply with Title 2, Subtitle 11 of
22 the Environment Article or any regulations adopted under that subtitle; or

23 ~~[(10)]~~ (11) The gross vehicle weight is 55,000 pounds or over and the
24 applicant has failed to furnish proof of payment of the Federal Heavy Vehicle Use Tax.

25 26–305.

26 (a) The Administration may not register or transfer the registration of any
27 vehicle involved in a parking violation under this subtitle, a violation under any
28 federal parking regulation that applies to property in this State under the jurisdiction
29 of the U.S. government, a violation of § 21–202(h) of this article as determined under §
30 21–202.1 of this article or Title 21, Subtitle 8 of this article as determined under §
31 21–809 or § 21–810 of this article, or a violation of the State litter control law or a local

1 law or ordinance adopted by Baltimore City relating to the unlawful disposal of litter
2 as determined under § 10–112 of the Criminal Law Article, if:

3 (1) It is notified by a political subdivision or authorized State agency
4 that the person cited for the violation under this subtitle, § 21–202.1, § 21–809, or §
5 21–810 of this article, or § 10–112 of the Criminal Law Article has failed to either:

6 (i) Pay the fine for the violation by the date specified in the
7 citation; or

8 (ii) File a notice of his intention to stand trial for the violation;

9 (2) It is notified by the District Court that a person who has elected to
10 stand trial for the violation under this subtitle, under § 21–202.1, § 21–809, or §
11 21–810 of this article, or under § 10–112 of the Criminal Law Article has failed to
12 appear for trial; or

13 (3) It is notified by a U.S. District Court that a person cited for a
14 violation under a federal parking regulation:

15 (i) Has failed to pay the fine for the violation by the date
16 specified in the federal citation; or

17 (ii) Either has failed to file a notice of the person's intention to
18 stand trial for the violation, or, if electing to stand trial, has failed to appear for trial.

19 (b) (1) Notwithstanding the provisions of subsection (a) of this section, the
20 Administration may suspend the registration of a vehicle involved in a parking
21 violation under this subtitle or a violation under any federal parking regulation that
22 applies to property in this State under the jurisdiction of the U.S. government if
23 notified in accordance with subsection (a) of this section that the violator is a chronic
24 offender.

25 (2) The Administration may adopt rules and regulations to define
26 chronic offender and develop procedures to carry out the suspension of registration as
27 authorized by this subsection.

28 (c) The Administration shall continue the suspension and refusal to register
29 or transfer a registration of the vehicle until:

30 (1) If the suspension or refusal was required under subsection (a)(1) or
31 (b)(1) of this section, the political subdivision or State agency notifies the
32 Administration that the charge has been satisfied;

33 (2) If the suspension or refusal was required under subsection (a)(2) or
34 (b)(1) of this section, the District Court notifies the Administration that the person
35 cited has appeared for trial or has pleaded guilty and paid the fine for the violation; or

1 (3) If the suspension or refusal was required under subsection (a)(3) or
2 (b)(1) of this section, the U.S. District Court notifies the Administration that the
3 charge has been satisfied.

4 (d) (1) If the registration of the vehicle has been suspended in accordance
5 with subsection (b)(1) of this section, a person may not drive the vehicle on any
6 highway in this State.

7 (2) A person convicted under paragraph (1) of this subsection is
8 subject to the penalty set forth in § 27–101(b) of this article.

9 (e) The procedures specified in this section are in addition to any other
10 penalty provided by law for the failure to pay a fine or stand trial for a parking
11 violation.

12 (f) **(1)** The Administration shall adopt procedures by which the political
13 subdivisions, State agencies, the District Court, and the U.S. District Court shall
14 notify it of any restrictions and any rescission of restrictions placed on the registration
15 of vehicles under this section.

16 **(2) THE ADMINISTRATION SHALL NOTIFY IN WRITING THE**
17 **OWNER OF A VEHICLE REGISTERED IN THE STATE OF ANY RESTRICTION PLACED**
18 **ON THE VEHICLE REGISTRATION UNDER THIS SECTION AND THE REASON FOR**
19 **THE PLACEMENT OF THE RESTRICTION:**

20 **(I) IMMEDIATELY ON THE PLACEMENT OF THE**
21 **RESTRICTION; AND**

22 **(II) IN CONJUNCTION WITH THE NEXT REGISTRATION**
23 **RENEWAL NOTICE SENT TO THE OWNER.**

24 **(3) THE ADMINISTRATION IMMEDIATELY SHALL NOTIFY IN**
25 **WRITING THE OWNER OF A VEHICLE REGISTERED IN THE STATE OF ANY**
26 **RESCISSION OF A RESTRICTION PLACED ON THE VEHICLE REGISTRATION**
27 **UNDER THIS SECTION.**

28 (g) (1) In addition to any other fee or penalty provided by law, an owner of
29 a vehicle who is denied registration of the vehicle under the provisions of this section
30 shall pay a fee established by the Administration before renewal of the registration of
31 the vehicle.

32 (2) The fee described under paragraph (1) of this subsection:

33 (i) May be distributed in part to a political subdivision acting as
34 an agent of the Administration in the registration of a vehicle under § 13–404 of this

1 article if, based upon information provided to the Administration by the political
2 subdivision under this section, the vehicle's prior registration was suspended or the
3 vehicle's registration renewal was denied; and

4 (ii) Except as provided under item (i) of this paragraph, shall be
5 retained by the Administration and may not be credited to the Gasoline and Motor
6 Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of this article.

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