

# SENATE BILL 85

R4

0lr0023

(PRE-FILED)

---

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Requested: October 1, 2009

Introduced and read first time: January 13, 2010

Assigned to: Judicial Proceedings

---

Committee Report: Favorable

Senate action: Adopted

Read second time: March 9, 2010

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws – Electronic Transmission of Title Information by Dealers**

3 FOR the purpose of providing that, within a certain time period, a licensed dealer  
4 transferring a vehicle may send or electronically transmit certain required  
5 taxes, fees, and other titling documents or data to the Motor Vehicle  
6 Administration; and generally relating to the electronic transmission of title  
7 information to the Motor Vehicle Administration.

8 BY repealing and reenacting, without amendments,  
9 Article – Transportation  
10 Section 13–104.1 and 13–108.1  
11 Annotated Code of Maryland  
12 (2009 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Transportation  
15 Section 13–113(e)  
16 Annotated Code of Maryland  
17 (2009 Replacement Volume and 2009 Supplement)

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

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



**Article – Transportation**

13–104.1.

If an application for a certificate of title is for a new vehicle, the application also shall be accompanied by:

(1) The manufacturer’s certificate of origin for the vehicle, assigned by the transferor to the transferee; or

(2) If the vehicle was acquired in another state or country the laws of which do not provide for a manufacturer’s certificate of origin, a certified bill of sale or other documents required by law in the other state or country, showing any security interest retained by the seller or created at the time of sale to secure the payment of the purchase price.

13–108.1.

(a) Notwithstanding any other provision of this title, the Administration may develop and implement an electronic system for the issuance of certificates of title and the recording and releasing of security interests.

(b) The electronic system may provide for:

(1) Recording titling and registration data without the issuance of a certificate of title; and

(2) Recording and releasing liens without the issuance of a security interest filing.

(c) The electronic system may provide for the electronic transmission of vehicle data to and from licensed dealers.

(d) The Administration shall adopt regulations to govern the electronic transmission of titling and registration information authorized under this section.

13–113.

(e) (1) If a licensed dealer holds a vehicle for sale and transfers the vehicle to someone other than another licensed dealer who holds the vehicle for sale, the dealer shall:

(i) Execute an assignment and warranty of title to the transferee in the manner and on the form that the Administration requires; and

(ii) Comply with the provisions specified in this subsection.

1 (2) If the vehicle is a Class A (passenger) vehicle, Class D (motorcycle)  
2 vehicle, Class G (trailer) travel trailer or camping trailer, or Class M (multipurpose)  
3 vehicle and is to be registered and titled in this State, the transferring dealer shall:

4 (i) Obtain from the transferee a completed application and  
5 collect all taxes and fees required for titling the vehicle; and

6 (ii) Within 30 days of the date of delivery of the vehicle, send **OR**  
7 **ELECTRONICALLY TRANSMIT** them, together with every other document **OR DATA**  
8 required by [§ 13-104] **§§ 13-104, 13-104.1, AND 13-108.1** of this subtitle, to the  
9 Administration.

10 (3) If the vehicle is to be registered and titled in this State, but is not a  
11 Class A (passenger) vehicle, Class D (motorcycle) vehicle, Class G (trailer) travel  
12 trailer or camping trailer, or Class M (multipurpose) vehicle, the transferring dealer  
13 shall, within 30 days of the delivery of the vehicle, either:

14 (i) Deliver the certificate of title to the transferee; or

15 (ii) Send **OR ELECTRONICALLY TRANSMIT** the transferee's  
16 completed application and all taxes and fees required for titling the vehicle, together  
17 with every other document **OR DATA** required by [§ 13-104] **§§ 13-104, 13-104.1,**  
18 **AND 13-108.1** of this subtitle, to the Administration.

19 (4) If the vehicle is not to be titled in this State and is to be registered  
20 in another state, the transferring dealer shall deliver the certificate of title to the  
21 transferee within 30 days of delivery of the vehicle.

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

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
President of the Senate.

\_\_\_\_\_  
Speaker of the House of Delegates.