

CF 7r0165

By: Delegates Minnick, Boston, Campbell, McIntosh, and Rosenberg (Baltimore County Administration and Baltimore City Administration), and Delegate Dembrow

Introduced and read first time: January 23, 1997

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Theft Prevention Council and Vehicle Theft Prevention Fund - Transfer to the**
3 **Department of State Police and Repeal of Termination Date**

4 FOR the purpose of transferring the Vehicle Theft Prevention Council and the Vehicle
5 Theft Prevention Fund from the Department of Public Safety and Correctional
6 Services to the Department of State Police; repealing the termination date of the
7 Act that established the Vehicle Theft Prevention Council and the Vehicle Theft
8 Prevention Fund; and generally relating to the Vehicle Theft Prevention Council
9 and the Vehicle Theft Prevention Fund.

10 BY transferring

11 Article 41 - Governor - Executive and Administrative Departments
12 Section 4-1601 through 4-1605, respectively, and the subtitle "Subtitle 16. Vehicle
13 Theft Prevention Council and Vehicle Theft Prevention Fund"
14 Annotated Code of Maryland
15 (1993 Replacement Volume and 1996 Supplement)

16 to be

17 Article 88B - Department of State Police
18 Section 71 through 75, respectively, and the subtitle "Vehicle Theft Prevention
19 Council and Vehicle Theft Prevention Fund"
20 Annotated Code of Maryland
21 (1995 Replacement Volume and 1996 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article 41 - Governor - Executive and Administrative Departments
24 Section 4-102(a)
25 Annotated Code of Maryland
26 (1993 Replacement Volume and 1996 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article 88B - Department of State Police
29 Section 72(a) and (b) and 73(b)
30 Annotated Code of Maryland

2

1 (1995 Replacement Volume and 1996 Supplement)
2 (As enacted by Section 1 of this Act)

3 BY repealing and reenacting, with amendments,
4 Article - Transportation
5 Section 13-507(a)(3)(ii) and 17-106(e)(2)(ii)
6 Annotated Code of Maryland
7 (1992 Replacement Volume and 1996 Supplement)

8 BY repealing and reenacting, with amendments,
9 Chapter 459 of the Acts of the General Assembly of 1994
10 Section 4

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That Section(s) 4-1601 through 4-1605, respectively, and the subtitle
13 "Subtitle 16. Vehicle Theft Prevention Council and Vehicle Theft Prevention Fund" of
14 Article 41 - Governor - Executive and Administrative Departments of the Annotated
15 Code of Maryland be transferred to be Section(s) 71 through 75, respectively, and the
16 subtitle "Vehicle Theft Prevention Council and Vehicle Theft Prevention Fund" of
17 Article 88B - Department of State Police of the Annotated Code of Maryland.

18 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
19 read as follows:

20 **Article 41 - Governor - Executive and Administrative Departments**

21 4-102.

22 (a) The following departments, agencies, boards, commissions, offices, divisions,
23 and units of the State government are included within the Department of Public Safety
24 and Correctional Services: the Criminal Injuries Compensation Board, the Division of
25 Correction established pursuant to § 4-105 of this article, the Patuxent Institution, the
26 Board of Review for Patuxent Institution, the State Fire Prevention Commission, the
27 office of State Fire Marshal, the Police Training Commission, the Maryland Parole
28 Commission, the Division of Parole and Probation established pursuant to § 4-105 of this
29 article, the Sundry Claims Board, the Division of Pretrial Detention and Services, [the
30 Vehicle Theft Prevention Council established pursuant to Subtitle 16 of this title,] and
31 such other agencies, boards, commissions, councils, offices, or units of government as may
32 hereafter pursuant to law be declared to be part of the Department of Public Safety and
33 Correctional Services.

34 **Article 88B - Department of State Police**

35 Vehicle Theft Prevention Council and Vehicle Theft Prevention Fund

36 72.

37 (a) There is a Vehicle Theft Prevention Council within the Department of
38 [Public Safety and Correctional Services] STATE POLICE.

3

1 (b) The Council shall consist of the following 13 members appointed by the
2 Governor:

3 (1) As ex officio members of the Council:

4 (i) The Secretary or the Secretary's designee;

5 (ii) The Secretary of Juvenile Justice or the Secretary's designee;

6 (iii) The Secretary of [the State Police] PUBLIC SAFETY AND
7 CORRECTIONAL SERVICES or the Secretary's designee; and

8 (iv) The Administrator of the Maryland Motor Vehicle
9 Administration; and

10 (2) As regular members of the Council:

11 (i) One representative of a local law enforcement authority;

12 (ii) One representative of a Maryland State's Attorney's office;

13 (iii) Two representatives of insurers that issue private passenger
14 automobile or commercial motor vehicle liability insurance in the State, of which:

15 1. One shall be a domestic insurer; and

16 2. One shall be a foreign insurer;

17 (iv) One representative of the Governor's Office;

18 (v) One representative of the National Insurance Crime Bureau or
19 similar organization; and

20 (vi) Three representatives of the general public, of which one shall be
21 a representative of a neighborhood or community association.

22 73.

23 (b) The Council shall have the following powers and duties:

24 (1) To make grants and awards from the Fund for motor vehicle theft
25 intervention programs, as provided in [§ 4-1604] § 74 of this subtitle;

26 (2) To solicit and accept funds, for deposit to the Fund, to be used to carry
27 out the purposes of this subtitle;

28 (3) To establish or assist in the establishment of programs designed to
29 reduce the incidence of vehicle thefts and related crimes;

30 (4) To identify priorities for theft prevention strategies in the State and
31 criteria for the Council's evaluation of recipients of assistance from the Council; and

32 (5) To study and propose laws that will further prevent and deter vehicle
33 thefts and related crimes.

4

1 **Article - Transportation**

2 13-507.

3 (a) (3) (ii) The fees collected under this paragraph shall be paid into the
4 Vehicle Theft Prevention Fund established under [Article 41, § 4-1604] ARTICLE 88B, §
5 74 of the Code.

6 17-106.

7 (e) (2) (ii) The percentage of the penalties specified under subparagraph (i)
8 of this paragraph shall be distributed as follows:

9 1. \$2,000,000 to the Vehicle Theft Prevention Fund established
10 under [Article 41, § 4-1604] ARTICLE 88B, § 74 of the Code;

11 2. The amount distributed to the Maryland Automobile
12 Insurance Fund in the prior fiscal year under the provisions of this subparagraph adjusted
13 by the change for the calendar year preceding the fiscal year in the Consumer Price Index
14 - All Urban Consumers - Medical Care as published by the United States Bureau of
15 Labor Statistics to the Maryland Automobile Insurance Fund; and

16 3. The balance to the General Fund.

17 **Chapter 459 of the Acts of 1994**

18 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 1994. [It shall remain in effect for a period of three years and one day and, at the
20 end of July 1, 1997, with no further action required by the General Assembly, this Act
21 shall be abrogated and of no further force and effect.]

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 June 1, 1997.