

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 1290

(Delegate Weir, *et al.*)

Environmental Matters

Judicial Proceedings

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**Task Force to Study the Titling and Registration of Off-Highway Vehicles**

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This bill creates a Task Force to Study the Titling and Registration of Off-Highway Vehicles (OHVs). The task force is staffed by the Department of Legislative Services. The task force must make recommendations about: (1) the best agency to oversee OHV titling and registration; (2) the appropriate fee for titling and registering an OHV; and (3) how titling and registration fees should be distributed. The task force must report its findings and recommendations to the Governor and the General Assembly by December 1, 2005.

The bill takes effect July 1, 2005, and terminates December 1, 2005.

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**Fiscal Summary**

**State Effect:** None. Expenses associated with staffing the task force and providing travel reimbursements could be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** OHVs are not required to be registered by the Motor Vehicle Administration; however, every OHV used on lands under the Department of Natural Resources' (DNR) control must be registered with the agency for an annual fee. The revenues from that fee must be used to acquire and maintain areas for OHVs.

OHVs are not currently titled. The excise (or titling) tax is paid at the time of application for an original or subsequent title to a vehicle. Applicants pay 5% of the fair market value of the vehicle.

Titling tax revenue is split between the Transportation Trust Fund (TTF) (76%) and local governments (24%). Registration fee revenue is deposited into the GMVRA; 70% of the revenue is allocated to the TTF, and the remainder is distributed to local governments as highway user revenues.

Instead, OHVs are subject to the 5% State sales tax. Sales tax revenues are general fund revenue.

**Background:** According to a 2003 survey by the Specialty Vehicle Institute of America, at least 17 states require all-terrain vehicles to be registered with the motor vehicle agency, including three that only require it if the vehicle operates on public lands. Minnesota, Maine, and Idaho are among the states that direct the registration fee funds specifically for buying or maintaining trails. Another 14 states require registration with the recreational management agency. Of the states neighboring Maryland, only Delaware requires an off-road vehicle to be registered with the motor vehicle department. Several states, including Kentucky, Hawaii, Kansas, Mississippi, Virginia, and South Carolina, do not have any registration requirements for off-road vehicles.

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### Additional Information

**Prior Introductions:** A similar bill, HB 1279, was introduced in the 2004 session but was withdrawn. A similar bill was introduced as SB 561 in 2003. It was heard by the Judicial Proceedings Committee, which took no action.

**Cross File:** None.

**Information Source(s):** Montgomery County, Carroll County, Prince George's County, Harford County, Queen Anne's County, St. Mary's County, Department of Natural Resources, Maryland Department of Transportation, Motorcycle Industry Council, Special Vehicle Institute of America, Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2005  
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