

# HOUSE BILL 220

R4

(71r1550)

## ENROLLED BILL

— *Environmental Matters / Judicial Proceedings* —

Introduced by **Delegates Beidle, Ali, Aumann, Barnes, Bobo, Boteler, Cane, V. Clagett, Costa, Dwyer, Elmore, Frush, George, Glassman, Healey, Hecht, Holmes, Hucker, James, Jameson, Jennings, J. King, Kipke, Kullen, Lafferty, Lawton, Levy, Love, Malone, Mathias, McConkey, McIntosh, O'Donnell, Pena-Melnyk, Riley, Schuh, Shewell, Sophocleus, Sossi, ~~and Weir~~ Weir, Glenn, Niemann, and Stull**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws – Special and Commemorative Registration Plates – ~~Sunset~~**  
3 **~~Provisions~~**

4 FOR the purpose of *repealing the authority of the Motor Vehicle Administration to*  
5 *issue certain special commemorative registration plates for a certain class of*  
6 *vehicles*; altering the termination date for the Chesapeake Bay Commemorative

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**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.

*Italics indicate opposite chamber / conference committee amendments.*



1 License Plate and the special registration plate honoring State agriculture;  
 2 repealing the termination date for certain provisions related to the design of  
 3 and the renewal fees for the Chesapeake Bay Commemorative License Plate;  
 4 providing for the termination of a certain provision of this Act; and generally  
 5 relating to special and commemorative registration plates for motor vehicles.

6 BY repealing and reenacting, ~~without~~ *with* amendments,  
 7 Article – Transportation  
 8 Section 13–618 and ~~13–619.2(a)~~ 13–619.2  
 9 Annotated Code of Maryland  
 10 (2006 Replacement Volume and 2006 Supplement)

11 BY repealing and reenacting, with amendments,  
 12 Chapter 3 of the Acts of the General Assembly of the First Special Session of  
 13 1992, as amended by Chapter 91 of the Acts of the General Assembly of  
 14 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter  
 15 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts  
 16 of the General Assembly of 2000, Chapter 34 of the Acts of the General  
 17 Assembly of 2002, and Chapter 398 of the Acts of the General Assembly  
 18 of 2003  
 19 Section 3

20 BY repealing and reenacting, with amendments,  
 21 Chapter 251 of the Acts of the General Assembly of 2000, as amended by  
 22 Chapter 398 of the Acts of the General Assembly of 2003  
 23 Section 3

24 BY repealing and reenacting, with amendments,  
 25 Chapter 398 of the Acts of the General Assembly of 2003  
 26 Section 3

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

29 **Article – Transportation**

30 13–618.

31 (a) The Administration may issue special commemorative original or  
 32 substitute registration plates for any geographical, historical, natural resource, or  
 33 environmental commemoration of statewide significance.

1 (b) The owner of a vehicle, or a lessee of the vehicle under a lease not  
2 intended as security, or a director, officer, employee, or partner of a business entity  
3 that owns the vehicle considered eligible by the Administration may apply to the  
4 Administration for the assignment of a commemorative registration plate under this  
5 section if the vehicle is included in one of the following classes:

6 (1) A Class A (passenger) vehicle;

7 ~~(2) A Class B (for hire) vehicle;~~

8 ~~(3)~~ (2) A Class E (truck) vehicle with a manufacturer's rated  
9 capacity of one ton or less;

10 ~~(4)~~ (3) A Class G (trailer) vehicle; or

11 ~~(5)~~ (4) A Class M (multipurpose) vehicle.

12 (c) (1) An original or substitute commemorative plate may only be issued  
13 under this section for a fixed period of 2 consecutive years after its initial issuance.

14 (2) The Administration may only issue 1 commemorative plate under  
15 this section at any one time.

16 (d) (1) In addition to the annual registration fee otherwise required under  
17 this title, an owner of a vehicle assigned a commemorative registration plate under  
18 this section shall pay:

19 (i) An additional initial registration fee set by the  
20 Administration when the new registration plates are issued to the vehicle under this  
21 section; or

22 (ii) An additional renewal fee set by the Administration each  
23 time the plate is renewed.

24 (2) (i) The Administration shall set the additional initial  
25 registration fee at a level that will enable the Administration to recover its costs under  
26 this section.

27 (ii) The Administration may set the additional initial  
28 registration fee at a level that is sufficient to result in a surplus after costs are  
29 subtracted.

1 (iii) The Administration shall retain a portion of the additional  
2 initial registration fee that is sufficient to allow the Administration to recover any  
3 costs of issuing and distributing commemorative plates under this section.

4 (iv) Any surplus moneys remaining after the Administration has  
5 recovered the costs of issuing a commemorative plate under this section and moneys  
6 collected for additional renewal fees may not be retained by or transferred to any  
7 agency of the State for any purpose.

8 (v) Notwithstanding subparagraph (iv) of this paragraph, the  
9 surplus moneys and moneys collected for additional renewal fees may be retained for  
10 the purpose described in paragraph (3) of this subsection.

11 (3) The surplus moneys and moneys collected for additional renewal  
12 fees shall be disbursed by the Administration to a nonprofit organization that is:

13 (i) Closely related to the geographical, historical, natural  
14 resource, or environmental theme which the plate commemorates; and

15 (ii) Designated by the Administration under subsection (e) of  
16 this section.

17 (4) No portion of the additional initial registration or renewal fees may  
18 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under  
19 § 8–403 or § 8–404 of this article.

20 (e) (1) The Administration shall adopt regulations not inconsistent with  
21 the Maryland Vehicle Law to govern the issuance of special registration plates under  
22 this section.

23 (2) Before designating any nonprofit organization to receive any  
24 surplus moneys or moneys collected for additional renewal fees and before distributing  
25 the moneys to any nonprofit organization, the Administration shall adopt regulations  
26 specific to each new commemorative plate detailing:

27 (i) The name and nature of the nonprofit organization receiving  
28 the money;

29 (ii) The relationship of the nonprofit organization to the  
30 geographical, historical, natural resource, or environmental theme which the plate  
31 commemorates; and

32 (iii) The plan of distribution of the funds.

1           (3) The Administration shall consult with the nonprofit organization  
2 designated to receive moneys under this section to establish a schedule under which  
3 the Administration will transfer to the nonprofit organization revenue collected on  
4 behalf of the nonprofit organization under this section.

5           (f) The additional fees to the annual registration fee required by this section  
6 are not required for special registration of a vehicle that is exempt under § 13-903 of  
7 this title, or a vehicle with a special registration plate recognizing:

8           (1) The Maryland National Guard; or

9           (2) A volunteer fire department, volunteer rescue squad, or volunteer  
10 ambulance company in this State.

11           (g) (1) A special registration number as specified by the Administration  
12 and assigned under this section may consist of:

13                   (i) Any combination of:

14                           1. Letters; and

15                           2. Numerals; and

16                   (ii) Any design approved by the Administration that adequately  
17 reflects the geographical, historical, natural resource, or environmental theme which  
18 the plate commemorates.

19           (2) A special registration number or design assigned under this section  
20 shall be displayed on the registration plates for the vehicle.

21           (3) The Administration shall consult with the nonprofit organization  
22 designated to receive moneys under this section with respect to any design of the  
23 Chesapeake Bay Commemorative License Plate.

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

26   **Article – Transportation**

27           13-619.2.

1 (a) In consultation with the Maryland Agricultural Education Foundation,  
2 Inc. the Administration shall develop and make available for qualifying vehicles a  
3 specially designed registration plate honoring Maryland agriculture.

4 (b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended  
5 as security, or a director, officer, employee, or partner of a business entity that owns the  
6 vehicle considered eligible by the Administration may apply to the Administration for  
7 an original or substitute registration plate under this section if the vehicle is included  
8 in one of the following classes:

9 (1) A Class A (passenger) vehicle;

10 [(2) A Class B (for hire) vehicle;]

11 [(3)] (2) A Class E (truck) vehicle with a manufacturer's rated  
12 capacity of one ton or less;

13 [(4)] (3) A Class E (farm truck) vehicle;

14 [(5)] (4) A Class G (trailer) vehicle; or

15 [(6)] (5) A Class M (multipurpose) vehicle.

16 (c) (1) In addition to the annual registration fee otherwise required under  
17 this title, an owner of a vehicle assigned a registration plate under this section shall  
18 pay:

19 (i) When initially issued the registration plate, a one-time fee set  
20 by the Administration to recover the Administration's costs under this section; and

21 (ii) When initially issued the registration plate, and each time  
22 the registration plate is renewed, an additional fee set by the Administration to benefit  
23 the Maryland Agricultural Education Foundation, Inc.

24 (2) The additional fee collected under this section is not required for  
25 special registration of a vehicle that is exempt under § 13-903 of this title.

26 (3) No portion of the fee collected under this section may be credited to  
27 the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or §  
28 8-404 of this article.

1           (d) The Administration shall consult with the Maryland Agricultural  
2 Education Foundation, Inc. on:

3           (1) The design of a registration plate to be issued under this section to  
4 honor Maryland agriculture;

5           (2) The setting of the fee to be charged under subsection (c)(1)(ii) of this  
6 section at a level intended to encourage the purchase of the registration plate issued  
7 under this section while providing a continuous revenue source to benefit the  
8 Foundation; and

9           (3) A schedule under which the Administration will transfer to the  
10 Foundation revenue collected on the Foundation's behalf.

11           (e) The Administration shall adopt regulations to govern the issuance of  
12 special registration plates under this section.

13           SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
14 read as follows:

15           **Chapter 3 of the Acts of the First Special Session of 1992, as amended by**  
16 **Chapter 91 of the Acts of 1994, Chapter 356 of the Acts of 1996, Chapter 141 of**  
17 **the Acts of 1998, Chapter 340 of the Acts of 2000, Chapter 34 of the Acts of**  
18 **2002, and Chapter 398 of the Acts of 2003**

19           SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the  
20 provisions of § 13-618(c) of the Transportation Article, the Motor Vehicle  
21 Administration shall extend the Chesapeake Bay Commemorative Plate Program until  
22 July 1, [2008] **2013**.

23           **Chapter 251 of the Acts of 2000, as amended by Chapter 398 of the Acts of**  
24 **2003**

25           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 July 1, 2000. It shall remain effective for a period of [8] **13** years and, at the end of  
27 June 30, [2008] **2013**, with no further action required by the General Assembly, this  
28 Act shall be abrogated and of no further force and effect.

29           **Chapter 398 of the Acts of 2003**

30           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 July 1, 2003. [It shall remain effective for a period of 5 years and, at the end of June

1 30, 2008, with no further action required by the General Assembly, this Act shall be  
2 abrogated and of no further force and effect.]

3 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act  
4 shall take effect October 1, 2007. It shall remain effective until the taking effect of the  
5 termination provision specified in Section 3 of Chapter 251 of the Acts of the General  
6 Assembly of 2000, as amended by Chapter 398 of the Acts of 2003 and this Act. If that  
7 termination provision takes effect, Section 2 of this Act shall be abrogated and of no  
8 further force and effect. Section 2 of this Act may not be interpreted to have any effect on  
9 that termination provision.

10 SECTION ~~2~~ 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of  
11 this Act, this Act shall take effect October 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.