

CHAPTER 364

(Senate Bill 92)

AN ACT concerning

Motor Carriers – Identification Markers – Forged Documents – Criminal Penalties

FOR the purpose of prohibiting a ~~motor carrier person~~ person from ~~falsifying, duplicating, or attempting to falsify or duplicate certain~~ knowingly falsifying or using, holding, possessing, giving away, or selling certain falsified licenses, decals, or other official documents issued by the Comptroller *related documents*; prohibiting a ~~motor carrier person~~ person from ~~manufacturing, constructing, or possessing certain paraphernalia; prohibiting a motor carrier from possessing, giving away, selling, or attempting to sell certain items; prohibiting a motor carrier from holding or using~~ attempting to falsify or sell certain licenses or decals *licenses, decals, or related documents that have been falsified or duplicated in violation of this Act*; specifying certain penalties for certain violations of this Act; defining certain terms; defining “falsify” for purposes of this Act to include alter, counterfeit, duplicate, manufacture, construct, or forge; and generally relating to the falsification or duplication of certain licenses, decals, or ~~other official documents issued by the Comptroller~~ *related documents*.

BY adding to

Article – Tax – General

Section 9–223 and 13–1020(d)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

Article – Tax – General

9–223.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “FALSIFY” INCLUDES ALTER, COUNTERFEIT, DUPLICATE, MANUFACTURE, CONSTRUCT, OR FORGE.

(3) “IFTA IDENTIFICATION MARKER” MEANS ANY LICENSE OR DECAL REQUIRED BY LAW TO BE POSSESSED BY A MOTOR CARRIER AND

DISPLAYED ON A COMMERCIAL MOTOR VEHICLE *UNDER THE INTERSTATE AGREEMENTS AUTHORIZED BY § 9-205 OF THIS SUBTITLE.*

~~(B) A MOTOR CARRIER MAY NOT FALSIFY OR DUPLICATE, OR ATTEMPT TO FALSIFY OR DUPLICATE, ANY IFTA IDENTIFICATION MARKER OR ANY OTHER OFFICIAL DOCUMENT ISSUED BY THE COMPTROLLER.~~

~~(C) A MOTOR CARRIER MAY NOT MANUFACTURE, CONSTRUCT, OR POSSESS ANY PARAPHERNALIA FOR USE IN ANY FALSIFICATION OR DUPLICATION PROHIBITED BY THIS SECTION.~~

~~(D) A MOTOR CARRIER MAY NOT POSSESS, GIVE AWAY, SELL, OR ATTEMPT TO SELL ANY ITEM FALSIFIED OR DUPLICATED IN VIOLATION OF THIS SECTION.~~

~~(E) A MOTOR CARRIER MAY NOT HOLD ANY IFTA IDENTIFICATION MARKER DESCRIBED IN THIS SECTION THAT HAS BEEN FALSIFIED OR DUPLICATED IN VIOLATION OF THIS SECTION.~~

~~(F) A MOTOR CARRIER MAY NOT USE ANY FALSIFIED OR DUPLICATED IFTA IDENTIFICATION MARKER DESCRIBED IN THIS SECTION.~~

(B) A PERSON MAY NOT KNOWINGLY:

(1) FALSIFY ANY IFTA IDENTIFICATION MARKER OR ~~OTHER OFFICIAL DOCUMENT ISSUED BY THE COMPTROLLER~~ RELATED DOCUMENT;

(2) USE, HOLD, POSSESS, GIVE AWAY, OR SELL A FALSIFIED IFTA IDENTIFICATION MARKER OR ~~OTHER OFFICIAL DOCUMENT ISSUED BY THE COMPTROLLER~~ RELATED DOCUMENT; OR

(3) ATTEMPT TO FALSIFY OR SELL ANY IFTA IDENTIFICATION MARKER OR ~~OTHER OFFICIAL DOCUMENT ISSUED BY THE COMPTROLLER~~ RELATED DOCUMENT.

13-1020.

(D) A MOTOR CARRIER WHO VIOLATES A PROVISION OF § 9-223 OF THIS ARTICLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

Approved by the Governor, May 7, 2009.