

SENATE BILL 20

R4

(PRE-FILED)

2lr0603
CF 2lr0959

By: **Senator Astle**

Requested: September 29, 2011

Introduced and read first time: January 11, 2012

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Special and Commemorative Registration Plates**

3 FOR the purpose of repealing the authority of the Motor Vehicle Administration to
4 issue certain commemorative registration plates and making certain conforming
5 changes; requiring rather than authorizing the Administration to issue a special
6 Chesapeake Bay Commemorative Registration Plate; requiring the
7 Administration to disburse certain fees to the Chesapeake Bay Trust; requiring
8 the Administration to consult with the Chesapeake Bay Trust on certain
9 matters; repealing the termination provision for the special registration plate
10 honoring State agriculture; making certain stylistic and technical changes; and
11 generally relating to special and commemorative registration plates for motor
12 vehicles.

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 13–618
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2011 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article – Transportation
20 Section 13–619.2
21 Annotated Code of Maryland
22 (2009 Replacement Volume and 2011 Supplement)

23 BY repealing and reenacting, with amendments,
24 Chapter 251 of the Acts of the General Assembly of 2000, as amended by
25 Chapter 398 of the Acts of the General Assembly of 2003 and
26 Chapters 135 and 136 of the Acts of the General Assembly of 2007
27 Section 3

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Transportation**

4 13–618.

5 (a) The Administration [may] **SHALL** issue A special [commemorative
6 original or substitute registration plates for any geographical, historical, natural
7 resource, or environmental commemoration of statewide significance] **CHESAPEAKE**
8 **BAY COMMEMORATIVE REGISTRATION PLATE**.

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

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

15 (2) A Class E (truck) vehicle with a manufacturer's rated capacity of
16 one ton or less;

17 (3) A Class G (trailer) vehicle; or

18 (4) A Class M (multipurpose) vehicle.

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

21 (2) The Administration may only issue one commemorative plate
22 under this section at any one time.

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

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

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

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

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

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

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

14 (v) Notwithstanding subparagraph (iv) of this paragraph, the
15 surplus moneys and moneys collected for additional renewal fees [may be retained for
16 the purpose described in paragraph (3) of this subsection] **SHALL BE DISBURSED BY**
17 **THE ADMINISTRATION TO THE CHESAPEAKE BAY TRUST.**

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

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

22 (ii) Designated by the Administration under subsection (e) of
23 this section.

24 (4) No portion of the additional initial registration or renewal fees may
25 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under
26 § 8–403 or § 8–404 of this article.

27 **[(e)] (D)** (1) The Administration shall adopt regulations not inconsistent
28 with the Maryland Vehicle Law to govern the issuance of special registration plates
29 under this section, **INCLUDING REGULATIONS DETAILING THE PLAN OF**
30 **DISTRIBUTION OF THE FUNDS.**

31 (2) [Before designating any nonprofit organization to receive any
32 surplus moneys or moneys collected for additional renewal fees and before distributing
33 the moneys to any nonprofit organization, the Administration shall adopt regulations
34 specific to each new commemorative plate detailing:

1 (i) The name and nature of the nonprofit organization receiving
2 the money;

3 (ii) The relationship of the nonprofit organization to the
4 geographical, historical, natural resource, or environmental theme which the plate
5 commemorates; and

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

7 (3) The Administration shall consult with the [nonprofit organization
8 designated to receive moneys under this section] **CHESAPEAKE BAY TRUST** to
9 establish a schedule under which the Administration will transfer to the [nonprofit
10 organization] **TRUST** revenue collected on behalf of the [nonprofit organization]
11 **TRUST** under this section.

12 [(f)] (E) The additional fees to the annual registration fee required by this
13 section are not required for special registration of a vehicle that is exempt under
14 § 13–903 of this title[, or a vehicle with a special registration plate recognizing:

15 (1) The Maryland National Guard; or

16 (2) A volunteer fire department, volunteer rescue squad, or volunteer
17 ambulance company in this State].

18 [(g)] (F) (1) A **COMMEMORATIVE REGISTRATION PLATE ISSUED**
19 **UNDER THIS SECTION SHALL DISPLAY:**

20 (I) A special registration number [as specified] **ASSIGNED** by
21 the Administration [and assigned under this section] **THAT** may consist of[:

22 (i) Any] **ANY** combination of:

23 1. Letters; and

24 2. Numerals; and

25 (ii) [Any] A design approved by the Administration that
26 adequately reflects the [geographical, historical, natural resource, or environmental]
27 **CHESAPEAKE BAY** theme [which] **THAT** the plate commemorates.

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

30 (3) The Administration shall consult with the [nonprofit organization
31 designated to receive moneys under this section] **CHESAPEAKE BAY TRUST** with

1 respect to [any] **THE** design of the Chesapeake Bay Commemorative [License]
2 **REGISTRATION** Plate.

3 13–619.2.

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

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

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

13 (2) A Class E (truck) vehicle with a manufacturer's rated capacity of
14 one ton or less;

15 (3) A Class E (farm truck) vehicle;

16 (4) A Class G (trailer) vehicle; or

17 (5) A Class M (multipurpose) vehicle.

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

21 (i) When initially issued the registration plate, a onetime fee
22 set by the Administration to recover the Administration's costs under this section; and

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

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

28 (3) No portion of the fee collected under this section may be credited to
29 the Gasoline and Motor Vehicle Revenue Account for distribution under § 8–403 or §
30 8–404 of this article.

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

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

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

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

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

11 **Chapter 251 of the Acts of 2000, as amended by Chapter 398 of the Acts of**
12 **2003 and Chapters 135 and 136 of the Acts of 2007**

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2000. [It shall remain effective for a period of 13 years and, at the end of June
15 30, 2013, with no further action required by the General Assembly, this Act shall be
16 abrogated and of no further force and effect.]

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2012.