

HOUSE BILL 1179

R4

3lr2951
CF SB 472

By: **Delegates Conway and Cane**

Introduced and read first time: February 8, 2013

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 18, 2013

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Motor Scooters and Mopeds – Special Dealer Decals**

3 FOR the purpose of authorizing a motor scooter or moped dealer to apply to the Motor
4 Vehicle Administration for the issuance of special dealer decals; authorizing a
5 motor scooter or moped dealer that attaches a special dealer decal to certain
6 motor scooters or mopeds to, as authorized by law, drive the motor scooters or
7 mopeds on a highway or allow, for demonstration purposes, a prospective buyer
8 to drive the motor scooters or mopeds on a highway; prohibiting a motor scooter
9 or moped dealer from allowing a person who does not hold and display a valid
10 driver's license or moped operator's permit to drive a motor scooter or moped on
11 a highway; requiring a special dealer decal to be manufactured in a certain
12 manner; requiring a special dealer decal to display a unique number sequence
13 assigned by the Administration; requiring the Administration to set the fee for a
14 special dealer decal; and generally relating to special dealer decals for motor
15 scooter or moped dealers.

16 BY repealing and reenacting, with amendments,
17 Article – Transportation
18 Section 13–106
19 Annotated Code of Maryland
20 (2012 Replacement Volume)

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

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.



1 **Article – Transportation**

2 13–106.

3 (a) The Administration shall:

4 (1) File each application for a certificate of title that it receives; and

5 (2) Issue a certificate of title of the vehicle if:

6 (i) It finds that the applicant is entitled to the certificate of
7 title; and

8 (ii) It has received the required fees.

9 (b) The Administration shall keep a record of all certificates of title that it
10 issues, as follows:

11 (1) Under a distinctive title number assigned to the vehicle;

12 (2) Under the vehicle identification number of the vehicle or, if a
13 distinguishing number has been assigned to it, under the distinguishing number; and

14 (3) Under any other method that the Administration determines.

15 (c) Upon receipt with the application for a certificate of title, the
16 Administration shall maintain a record of the following documents as a part of its
17 certificate of title records for a motor vehicle:

18 (1) A notice from a dealer under § 14–1502(f)(1) of the Commercial
19 Law Article;

20 (2) A notice from a manufacturer or factory branch under §
21 14–1502(f)(2) of the Commercial Law Article; and

22 (3) A manufacturer's disclosure form provided to the Administration
23 under § 14–1502(g) of the Commercial Law Article.

24 (d) (1) The Administration shall issue a permanent decal to the owner of a
25 motor scooter or moped for which a certificate of title is issued.

26 (2) An owner of a motor scooter or moped for which a certificate of title
27 is issued shall display the decal on the vehicle as prescribed by the Administration.

28 (3) A decal shall display a unique number sequence assigned by the
29 Administration.

1 (4) The Administration:

2 (i) Shall establish a fee of \$5 for a decal; and

3 (ii) May adopt regulations to implement this section.

4 **(5) (I) IF A MOTOR SCOOTER OR MOPED DEALER HOLDS FOR**
5 **SALE MOTOR SCOOTERS OR MOPEDES THAT OTHERWISE ARE REQUIRED TO**
6 **DISPLAY A DECAL UNDER THIS SUBSECTION, THE DEALER MAY APPLY TO THE**
7 **ADMINISTRATION FOR THE ISSUANCE OF AS MANY SPECIAL DEALER DECALS AS**
8 **THE ADMINISTRATION AUTHORIZES.**

9 **(II) A SPECIAL DEALER DECAL SHALL BE MANUFACTURED**
10 **IN A MANNER THAT ALLOWS A PERSON TO ATTACH TEMPORARILY THE DECAL TO**
11 **A MOTOR SCOOTER OR MOPED.**

12 **(III) SUBJECT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH,**
13 **A MOTOR SCOOTER OR MOPED DEALER THAT ATTACHES TEMPORARILY A**
14 **SPECIAL DEALER DECAL TO A MOTOR SCOOTER OR MOPED THAT THE DEALER**
15 **HOLDS FOR SALE MAY:**

16 **1. DRIVE THE MOTOR SCOOTER OR MOPED ON A**
17 **HIGHWAY AS AUTHORIZED BY LAW; AND**

18 **2. ALLOW, FOR DEMONSTRATION PURPOSES, A**
19 **PROSPECTIVE BUYER TO DRIVE THE MOTOR SCOOTER OR MOPED ON A HIGHWAY**
20 **AS AUTHORIZED BY LAW.**

21 **(IV) A MOTOR SCOOTER OR MOPED DEALER MAY NOT ALLOW**
22 **A PERSON WHO DOES NOT HOLD AND DISPLAY A VALID DRIVER'S LICENSE OR**
23 **MOPEDE OPERATOR'S PERMIT TO DRIVE A MOTOR SCOOTER OR MOPED ON A**
24 **HIGHWAY.**

25 **(V) A SPECIAL DEALER DECAL SHALL DISPLAY A UNIQUE**
26 **NUMBER SEQUENCE ASSIGNED BY THE ADMINISTRATION.**

27 **(VI) THE ADMINISTRATION SHALL SET A FEE FOR THE**
28 **SPECIAL DEALER DECAL.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 June 1, 2013.