HOUSE BILL 28

R6, E1 4lr1026

(PRE–FILED)

By: **Delegate McDermott**
Requested: November 15, 2013
Introduced and read first time: January 8, 2014
Assigned to: Judiciary

A BILL ENTITLED

AN ACT concerning

Vehicle Laws – Hidden Compartments – Prohibition and Penalties

FOR the purpose of prohibiting a person from knowingly creating, building, or installing a certain hidden compartment in a motor vehicle; prohibiting a person from knowingly owning or operating a motor vehicle that contains a certain hidden compartment; establishing that a certain intent to use a certain enclosure in a certain manner may be established by the discovery of a person, contraband, or certain evidence of a person or contraband in the enclosure; establishing a certain penalty; authorizing the seizure of certain motor vehicles involved in a violation of this Act; requiring the forfeiture of certain motor vehicles seized under this Act; defining a certain term; and generally relating to hidden compartments in motor vehicles.

BY adding to
Article – Transportation
Section 22–419 and 27–101(ff)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Article – Transportation

22–419.

(A) (1) IN THIS SECTION, "HIDDEN COMPARTMENT" MEANS AN ENCLOSURE THAT IS:

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

(I) INTEGRATED INTO OR ATTACHED TO A MOTOR VEHICLE IN A MANNER INTENDED TO CONCEAL ITS PRESENCE IN THE MOTOR VEHICLE AND PREVENT ITS DISCOVERY; AND

(II) DESIGNED AND INTENDED TO BE USED TO CONCEAL OR PREVENT THE DISCOVERY OF A PERSON OR CONTRABAND.

(2) "HIDDEN COMPARTMENT" INCLUDES:

(I) A FALSE OR MODIFIED FUEL TANK;

(II) ORIGINAL FACTORY EQUIPMENT ON A MOTOR VEHICLE THAT HAS BEEN MODIFIED TO CREATE AN ENCLOSURE; AND

(III) AN ENCLOSURE THAT HAS BEEN ADDED OR ATTACHED TO AN EXISTING ENCLOSURE IN A MOTOR VEHICLE.

(B) A PERSON MAY NOT KNOWINGLY:

(1) CREATE, BUILD, OR INSTALL A HIDDEN COMPARTMENT; OR

(2) OWN OR OPERATE A MOTOR VEHICLE THAT CONTAINS A HIDDEN COMPARTMENT.

(C) FOR PURPOSES OF THIS SECTION, THE INTENT TO USE AN ENCLOSURE TO HIDE A PERSON OR CONTRABAND MAY BE INFERRED BY THE DISCOVERY, IN THE ENCLOSURE, OF:

(1) A PERSON OR CONTRABAND; OR

(2) EVIDENCE OF THE EARLIER PRESENCE OF A PERSON OR CONTRABAND.

27–101.

(FF) (1) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 22–419 OF THIS ARTICLE IS SUBJECT TO A FINE NOT EXCEEDING $10,000 OR IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR BOTH.

(2) (I) A MOTOR VEHICLE INVOLVED IN A VIOLATION OF § 22–419 OF THIS ARTICLE IS SUBJECT TO SEIZURE.

(II) ON CONVICTION OF A VIOLATION OF § 22–419 OF THIS ARTICLE, A MOTOR VEHICLE SEIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN CONNECTION WITH THE VIOLATION SHALL BE FORFEITED TO THE STATE AND NO PROPERTY RIGHT SHALL EXIST IN THE MOTOR VEHICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.