

Article - Transportation

[Previous][Next]

§13-406.1.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Law enforcement agency” means:
 - (i) A state, county, or municipal police department or agency;
 - (ii) A sheriff’s office; or
 - (iii) A federal law enforcement agency.
- (3) “Outstanding warrant” means an arrest warrant that:
 - (i) A law enforcement agency has attempted, but failed, to serve on the individual named in the warrant due to the inability to locate the individual; and
 - (ii) Is at least 31 days old.
- (4) “Primary law enforcement officer” means:
 - (i) In a municipal corporation, the chief of police, if any, or the chief’s designee;
 - (ii) In a county that has a county police department, the chief of police or the chief’s designee;
 - (iii) In a county without a police department, the sheriff or the sheriff’s designee;
 - (iv) In Baltimore City, the Police Commissioner or the Police Commissioner’s designee;
 - (v) The Secretary of State Police; or
 - (vi) The principal law enforcement officers of a federal law enforcement agency or the officer’s designee.
- (b) Subject to subsection (h) of this section, on notification by a law enforcement agency that an applicant for vehicle registration is named in an outstanding warrant, the Administration shall refuse to register or transfer the registration of any vehicle owned by the applicant.
- (c) (1) Before refusing to register or transfer the registration of a vehicle under subsection (b) of this section, the Administration shall notify the applicant of the proposed action and inform the applicant of the applicant’s right to contest the

accuracy of the information on which the refusal is based.

(2) Any contest under this subsection shall be limited to whether the Administration has mistaken the identity of the individual named in the outstanding warrant or the individual whose registration or transfer of registration has been refused.

(d) An individual named in an outstanding warrant may appeal a decision of the Administration under this section to refuse to register or transfer the registration of the individual's vehicle.

(e) An applicant shall be referred to the law enforcement agency that notified the Administration of the outstanding warrant to resolve any question of whether the outstanding warrant has been satisfied.

(f) (1) The Administration shall continue the refusal to register or transfer the registration of a vehicle owned by an individual named in an outstanding warrant until:

(i) The Administration is ordered by a court to register or transfer the registration of the vehicle; or

(ii) A law enforcement agency notifies the Administration that:

1. The individual named in the outstanding warrant has been arrested; or

2. The outstanding warrant has been otherwise satisfied.

(2) On receipt of an order or notice under paragraph (1) of this subsection, the Administration shall allow the applicant to register the vehicle or transfer the registration unless the registration or transfer has been restricted under any other provision of the Maryland Vehicle Law.

(g) (1) The Administration, in consultation with the primary law enforcement officers of the State, shall adopt regulations to implement this section.

(2) The regulations shall include:

(i) Criteria that a law enforcement agency must meet prior to notifying the Administration that an individual is named in an outstanding warrant;

(ii) A procedure for informing an individual named in an outstanding warrant:

1. That the registration or transfer of the registration of the individual's vehicle has been refused; and

2. Of the manner in which the individual may contest or resolve the refusal;

(iii) A procedure that must be followed by a law enforcement agency to notify the Administration of changes in the status of an outstanding warrant; and

(iv) A procedure for the Administration to carry out the refusal of registration as authorized under this section.

(h) If a law enforcement agency meets the criteria established under subsection (g) of this section, the Administration shall enter into an agreement with the appropriate primary law enforcement officer that provides for the notification to the Administration of persons named in outstanding warrants.

(i) (1) In addition to any other fee or penalty provided by law, the owner of a vehicle refused registration under this section shall pay a fee established by the Administration before renewal of the registration of the vehicle.

(2) The fee under paragraph (1) of this subsection shall be retained by the Administration and may not be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of this article.

(j) The procedures specified in this section are in addition to any other penalty provided by law for the failure to meet the demands specified in a warrant.

(k) This section may not be construed to require the Administration to arrest a person named in an outstanding warrant.

[Previous][Next]