

HOUSE BILL 1269

C2, R7

5lr2759
CF SB 917

By: **Delegate Beidle**

Introduced and read first time: March 9, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Salvage Advertising Act**

3 FOR the purpose of prohibiting a person from advertising for certain junk and scrap metal
4 services unless the person holds a certain license; requiring certain junk dealers and
5 scrap metal processors to provide a certain license number in an advertisement for
6 certain junk and scrap metal processing services; establishing certain civil penalties
7 for a violation of a certain provision of this Act; altering and making civil the penalty
8 for failing to provide a certain license number in a certain advertisement for the
9 purchase, towing, or removal of junk or abandoned vehicles; and generally relating
10 to advertising and scrap metal, junk, and junk and abandoned motor vehicles.

11 BY repealing and reenacting, with amendments,
12 Article – Business Regulation
13 Section 17–1006
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2014 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Transportation
18 Section 15–502(b)
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2014 Supplement)

21 BY adding to
22 Article – Transportation
23 Section 27–101.1(c)
24 Annotated Code of Maryland
25 (2012 Replacement Volume and 2014 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Business Regulation

17–1006.

(a) (1) Except as otherwise provided in this subtitle, a person must have a junk dealer or scrap metal processor license whenever the person does business as a junk dealer or scrap metal processor in the State.

(2) This subsection does not apply to a situation in which:

(i) a nonresident junk dealer or nonresident scrap metal processor buys junk or scrap metal from a junk dealer or scrap metal processor licensee who is a resident of the State; or

(ii) the nonresident junk dealer or nonresident scrap metal processor transports that junk or scrap metal.

(3) If a nonresident junk dealer or nonresident scrap metal processor comes into the State in a vehicle, the nonresident junk dealer or nonresident scrap metal processor may not transport from the State in that vehicle any junk or scrap metal bought in the State unless the nonresident junk dealer or nonresident scrap metal processor holds a junk dealer or scrap metal processor license.

(b) (1) Except as otherwise provided in this subtitle, a person must have an agent license whenever the person acts as an agent in the State.

(2) This subsection does not apply to a salaried employee of a junk dealer or scrap metal processor licensee.

(C) (1) A PERSON MAY NOT ADVERTISE FOR THE PURCHASE, TOWING, OR REMOVAL OF JUNK OR SCRAP METAL UNLESS THE PERSON IS LICENSED UNDER THIS SUBTITLE.

(2) ANY ADVERTISEMENT FOR THE PURCHASE, TOWING, OR REMOVAL OF JUNK OR SCRAP METAL SHALL INCLUDE THE LICENSE NUMBER OF THE LICENSEE.

(3) A PERSON WHO VIOLATES PARAGRAPH (2) OF THIS SUBSECTION IS SUBJECT TO A CIVIL PENALTY OF:

(I) \$500 FOR A FIRST VIOLATION; AND

(II) \$1,000 FOR EACH SUBSEQUENT VIOLATION.

Article – Transportation

1 15-502.

2 (b) (1) A person may not advertise for the purchase, towing, or removal of junk
3 or abandoned vehicles unless the person is licensed by the Administration under this
4 subtitle.

5 (2) Any advertisement for the purchase, towing, or removal of junk or
6 abandoned vehicles by a licensee under this subtitle shall include the license number of the
7 licensee.

8 27-101.1.

9 (c) **A PERSON WHO VIOLATES § 15-502(B) OF THIS ARTICLE IS SUBJECT TO**
10 **A CIVIL PENALTY OF:**

11 (1) **\$500 FOR A FIRST VIOLATION; AND**

12 (2) **\$1,000 FOR EACH SUBSEQUENT VIOLATION.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2015.