

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 58

(Delegate O'Donnell)

Environment and Transportation

Judicial Proceedings

Vehicle Laws - Historic Motor Vehicles - Authorized Uses and Inspections

This bill modifies and adds to specified uses and prohibited uses of motor vehicles registered with the Motor Vehicle Administration (MVA) as Class L (historic) vehicles. Pursuant to current law, an owner of a historic motor vehicle must certify in a registration application that the historic motor vehicle will only be used in specified circumstances; the owner must also certify that the historic motor vehicle will not be used for certain purposes.

The bill also limits exemptions for Class L (historic) vehicles from motor vehicle inspection requirements and related safety equipment requirements to certain model year vehicles.

Fiscal Summary

State Effect: MVA advises that, although existing forms may need to be revised and reprinted, such changes can be handled with existing budgeted resources. The Department of State Police (DSP) can handle any related enforcement with existing budgeted resources. Potential minimal increase in general fund revenues due to violations of safety equipment requirements.

Local Effect: None. Enforcement can be handled with existing resources.

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill clarifies that the owner of a historic motor vehicle must submit with a registration application a certification that the vehicle for which the application is

made will not be used for employment, for transportation to and from employment or school, or for commercial purposes.

The bill also establishes that a Class L (historic) vehicle with a model year of 1986 or later is no longer exempt from any statute that requires vehicle inspections but remains exempt from any statute that requires the use and inspection of emission controls. A vehicle with a model year of 1985 or earlier continues to be exempt from all such requirements under the bill.

For purposes of vehicle inspections and safety equipment repair orders, the bill alters two definitions: (1) “police officer” is broadened to encompass any of the persons listed in Section 2-101(c) of the Criminal Procedure Article; and (2) “vehicle” is broadened to include Class L (historic) vehicles with a model year of 1986 or later. Thus, any such used historic vehicle is subject to receiving a safety equipment repair order and citation if a police officer observes it being operated with equipment that does not meet established standards.

Finally, the bill clarifies that required inspections for the titling and registration of used vehicles do not apply to historic vehicles.

Current Law: A historic motor vehicle is currently defined as a motor vehicle, including a passenger vehicle, motorcycle, or truck, that is at least 20 years old; has not been substantially altered from the manufacturer’s original design; and meets criteria contained in MVA regulations.

The owner of a historic motor vehicle must certify that the vehicle will be maintained for use in exhibitions, club activities, parades, tours, occasional transportation, and similar uses and not for general daily transportation or primarily for the transportation of passengers or property on highways. Despite the certification as to how the historic vehicle is to be used, statute does not specifically prohibit historic vehicles from being used in other manners. However, MVA is authorized by regulation to suspend the registration of a historic vehicle for use that is inconsistent with the registration requirements.

Currently, historic vehicles are exempt from the requirement to contain certain equipment unless the presence of the equipment was specifically required by another State law as a condition of sale when the vehicle was manufactured. MVA and the Automotive Safety Enforcement Division of DSP jointly establish standards for equipment for vehicles driven on Maryland highways. A police officer who observes that a vehicle registered in Maryland is being operated without required equipment must stop the driver and issue a safety equipment repair order. Driving on a highway without the required minimum equipment is a misdemeanor, subject to a maximum fine of \$500. The prepayment penalty established by the District Court is \$70.

Class (L) historic vehicles are also exempt from any periodic vehicle inspections required by statute, including vehicle emissions inspections. Other used vehicles must have a valid inspection certificate before MVA may title and register them.

Historic vehicles registered in Maryland, or in another state when used in Maryland, may display vintage registration plates as an indication of the historic or antique nature of the vehicle.

A historic vehicle is generally subject to a \$25.50 annual registration fee, paid biennially, except that a motor vehicle manufactured at least 60 years prior to the current model year is only subject to a one-time registration fee of \$50.00. Historic vehicles also are not subject to the vehicle registration surcharge of \$17.00 per year distributed primarily to the Maryland Emergency Medical System Operations Fund. By contrast, the annualized registration fees, exclusive of the \$17.00 surcharge, for several common classes of vehicles are as follows:

- Class A passenger vehicle of up to 3,700 pounds – \$50.50;
- Class A passenger vehicle of more than 3,700 pounds – \$76.50;
- Class D motorcycle – \$35.00;
- Class E truck of three-quarter tons rated capacity or up to 7,000 pounds – \$63.75;
- Class M multipurpose vehicle of up to 3,700 pounds – \$50.50; and
- Class M multipurpose vehicle of more than 3,700 pounds – \$76.50.

Chapter 389 of 2012 established separate historic vehicle registration requirements that apply to trucks (Class E) with a gross vehicle weight of more than 10,000 pounds, tractors (Class F), or multipurpose (Class M) motor homes. To be registered as a historic vehicle, one of these vehicles must be at least 25 years old. These vehicles may not be used for general daily transportation or any commercial transportation of passengers or property on highways, and they must be insured by a historic vehicle, a show vehicle, or an antique vehicle insurance policy.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - January 27, 2016
me/ljm Revised - House Third Reader - March 23, 2016

Analysis by: Eric Pierce

Direct Inquiries to:
(410) 946-5510
(301) 970-5510