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Delegate Marc Korman
Chairman Environment and Transportation Committee
House Office Building
Annapolis, Maryland 21401

Subject: Opposition to HB0332 - Baltimore City – Out-of-State Vehicles – Improper Registration

Dear Committee Chairman Delegate Marc Korman, Vice Chairman Delegate Regina T. Boyce and distinguished Committee Members,

I am submitting my testimony to express my concerns and opposition to HB0332, which aims to discourage Maryland motorists from registering their vehicles in Virginia. While I understand the intent behind this legislation, I believe this bill raises significant legal and constitutional issues that deserve careful consideration.

****1. Interstate Commerce Violations:****

The proposed bill may be susceptible to legal challenges based on violations of the Commerce Clause of the United States Constitution. Restricting Maryland residents from registering their vehicles in Virginia, where it is legal to do so, could be interpreted as an impermissible burden on interstate commerce.

****2. Violation of Liberty and Civil Rights:****

Subjecting Virginia-tagged vehicles to unwarranted stops and citations in Maryland, without probable cause of a motor vehicle law violation, raises concerns about potential violations of individual liberties and civil rights. Such actions could be seen as an infringement on the Fourth Amendment rights protecting citizens against unreasonable searches and seizures.

****3. Right to Travel:****

There is a fundamental right to travel freely within the United States without undue restrictions. Any law that targets residents or non-residents based on their choice of vehicle registration may be challenged on the grounds that it interferes with this constitutional right.

****4. Impact on Military Personnel:****

Military personnel often reside in a state for extended periods due to duty assignments. Forcing them to change their vehicle registration within a limited timeframe could be impractical and burdensome. This may also raise concerns under the Servicemembers Civil Relief Act (SCRA).

****5. Impact on College Students:****

Similarly, college students residing in Maryland for educational purposes may retain out-of-state vehicle registrations for periods longer than 90 days. Forcing them to change their registration within a short timeframe may pose practical challenges and could be seen as arbitrary.

****6. Impact on Out-of-State Workers:****

According to the Maryland Department of Planning more than 183,000 out-of-state residents commute to the great State of Maryland to earn a living. Many of these workers commute with their own out-of-state vehicles or with out-of-state company vehicles. Many of these out-of-state residents stay in Maryland for extended periods at a time. HB0332 may be perceived as burdensome on these commuters and businesses who have chosen to conduct business in the State of Maryland and its governing counties.

****7. Potential Predatory Nature:****

The proposed legislation may be perceived as targeting specific groups without a compelling state interest. This raises questions about the fairness and equity of the law, potentially leading to claims of discriminatory enforcement.

Additionally, representatives from Baltimore City are guilty of spreading misinformation about Virginia registered motorists. According to the Code of Virginia §46.2-472 (Coverage of owner's policy), every motor vehicle registered in Virginia must carry a minimum of \$50,000 bodily injury to or death of one person in any one accident and, \$100,000 of bodily injury to or death of two or more persons in any one accident, and to a limit of \$25,000 because of injury to or destruction of property of others in any one accident. Vehicle owners who are uninsured or have not paid the Uninsured Motorist Vehicle fee will have their driving and vehicle registration privileges suspended. To be reinstated, a person registering a vehicle in Virginia must pay a \$600 statutory fee, file a Financial Responsibility Insurance Certificate (SR-22) with DMV for three years, and pay a reinstatement fee, if applicable. Also, the State of Maryland already regulates and enforces out-of-state vehicle registrations by notifying the offending vehicle registration owner. I personally know of Maryland residents who have received notices from MVA in reference to this very issue and can provide documentation as proof upon request.

In conclusion, I urge you to reconsider the implications of HB0332 on the constitutional rights of Maryland residents, non-Maryland residents, and others who may be affected. A careful review of the legal and constitutional issues highlighted above is essential to ensure that any legislation enacted is both fair and constitutionally sound.

Thank you for your attention to this matter, and I trust that you will give due consideration to the concerns raised.

Sincerely,

Jason Rodriguez