

**CHRIS WEST**  
*Legislative District 42*  
Baltimore and Carroll Counties

Judicial Proceedings Committee



*Annapolis Office*  
James Senate Office Building  
11 Bladen Street, Room 322  
Annapolis, Maryland 21401  
410-841-3648  
800-492-7122 Ext. 3648  
Chris.West@senate.maryland.gov

**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

January 28, 2026

The Maryland State Senate Judicial Proceedings Committee  
The Honorable William C. Smith, Jr.  
2 East Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: Senate Bill 145 – Motor Vehicles and Marine Vessels – Transfer-on-Death Designations**

Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

This is one of the bills this year that I have agreed to sponsor on behalf of the Estates and Trusts Committee of the Maryland State Bar Association. The Estates and Trusts Committee represents all of the estates and trusts lawyers throughout the State, and its bills each year reflect a considerable amount of work by the State's most experienced lawyers in this field.

The subject of this bill is what happens to motor vehicles and vessels after the owner of the vehicle or the vessel dies.

Currently, Maryland law provides that an individual who is the sole owner of a motor vehicle may designate a beneficiary in the Motor Vehicle Administration's system. The so-called "transfer on death" or TOD designation will then appear on the certificate of title for the motor vehicle. Upon the death of the sole owner, the vehicle will not be a part of the probate estate. Instead, the beneficiary can retitle the motor vehicle directly through the MVA. Avoiding probate in these situations is convenient and enables the heirs of a decedent to get on with their lives quickly and without the hassles of dealing with the probate court. Other assets that can pass automatically without going through probate if properly titled are checking and savings accounts, brokerage accounts and residences.

Turning to vessels, the law in Maryland currently fails to enable the owner of a vessel to designate a beneficiary and thereby avoid probate as to the vessel after the death of the owner.

Senate Bill 145 has been introduced to deal with two issues. First, under the motor vehicle laws, if a vehicle is owned by two people either as joint tenants or as tenants by the entirety, there is no mechanism in the law at this time for them to designate a beneficiary and thus avoid probate at the death of the survivor of the two co-owners. Second, the owner or owners of a vessel have no mechanism available to them at all to designate a beneficiary and thereby avoid probate.

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Senate Bill 145 rectifies this situation by authorizing the sole owner or the co-owners of a marine vessel to apply to the Department of Natural Resources to designate a beneficiary to take ownership of the vessel upon the death of the sole owner or upon the death of the survivor of the co-owners. The bill also alters transfer-on-death designations for motor vehicles to allow two individuals who co-own a vehicle to designate a beneficiary who, once again, will take ownership of the vehicle upon the death of the sole owner or upon the death of the survivor of the co-owners.

If passed, this bill will save both time and money for the beneficiaries of Maryland estates. Enabling vehicles and vessels to pass to beneficiaries in the same way that bank accounts, brokerage accounts and residences can currently pass to beneficiaries without going through the time and expense of probate will be a salutary development.

I appreciate the Committee's consideration of Senate Bill 145 and will be happy to answer any questions the Committee may have.