

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	07/11/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 8/22/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

11 15 33 05

3. Name of Promulgating Authority

Department of Transportation

4. Name of Regulations Coordinator

Natalie I Henson

Telephone Number

410-865-1091

Mailing Address

7201 Corporate Center Drive

City State Zip Code

Hanover MD 21076

Email

nwolfe@mdot.state.md.us

5. Name of Person to Call About this Document

Tracey C. Sheffield

Telephone No.

410-768-7545

Email Address

tsheffield@mdot.state.md.us

6. Check applicable items:

New Regulations

X- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: April 7, 2014.

- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Damon Bell, Assistant Attorney General, (telephone #410-768-7415) on June 19, 2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Milt Chaffee

Title

Administrator

Date

June 19, 2014

Telephone No.

410-768-7295

DEPARTMENT OF TRANSPORTATION
Subtitle 15 MOTOR VEHICLE ADMINISTRATION—VEHICLE
REGISTRATION

11.15.33 Vehicle Trade-In Allowance

Authority: Transportation Article, §§ 12-104(b), 13-809 and 13-812, Annotated Code of Maryland

Notice of Proposed Action

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The Administrator of the Motor Vehicle Administration proposes to amend Regulation .05 under COMAR 11.15.33 Vehicle Trade-In Allowance.

Statement of Purpose

The purpose of this action is to update and clarify existing regulations to determine the total purchase price of a vehicle when there is a dealer trade-in allowance. Also, this action adds acceptable documents for justification when a trade-in allowance exceeds the trade-in value indicated in a national publication of used car values adopted for use by the Administration.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tracey C. Sheffield, Regulations Coordinator, MVA, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to tshellfield@mdot.state.md.us, or fax to 410-768-7506. Comments will be accepted through September 21, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Transportation Trust funds

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

This action has no economic impact since they only clarify and update regulatory requirements to make the regulations consistent with current practices.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

There is no economic impact on small businesses since this action only clarifies and updates regulatory requirements to make the regulations consistent with current practices.

G. Small Business Worksheet:

- a. Intended Beneficiaries: N/A
- b. Intended Beneficiaries: Households: N/A
- c. Intended Beneficiaries: Businesses: N/A
- d. Other Direct or Indirect Impacts: Adverse: N/A
- e. Other Direct or Indirect Impacts: Positive: N/A
- f. Long-Term Impacts: N/A
- g. Estimates of Economic Impact: N/A

Attached Document:

11.15.33 (April 7, 2014)

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 15 MOTOR VEHICLE ADMINISTRATION — VEHICLE REGISTRATION

Chapter 33 Vehicle Trade-In Allowance

Authority: Transportation Article, §§12-104(b), 13-809, and 13-812, Annotated Code of Maryland

.05 Trade-in Allowance.

A. A dealer determines the trade-in allowance that is deducted from the purchase price of another vehicle. [The amount of the trade-in allowance may not exceed the trade-in value indicated in the national publication of used car values adopted for use by the Administration.]

B. (text unchanged)

C. [The trade-in allowance shall be limited to the vehicle with the highest trade-in value] *Only one traded-in vehicle can be applied to a sales transaction for purposes of the trade-in allowance deduction.*

D.—E. (text unchanged)

F. If the trade-in allowance exceeds the trade-in value indicated in a national publication of used car values adopted for use by the Administration, the dealer shall provide documentation that satisfies the Administration the higher trade-in value is justified. Documentation includes:

- (1) Evidence of amount required to release the lien on the trade-in vehicle;*
- (2) Evidence of vehicle customization that increases the vehicle value;*
- (3) A current valuation from an alternative national publication; or*
- (4) If the traded-in vehicle has already been sold, the actual resale price of the trade-in vehicle.*

MILT CHAFFEE

Administrator

Motor Vehicle Administration