

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Department of Transportation**  
(DLS Control No. 20-026)

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## **Overview and Legal and Fiscal Impact**

These regulations set the fee, and establish the criteria necessary for a nonresident of the State of Maryland to apply for, and receive, a temporary in-transit registration. A temporary in-transit registration allows the holder to transport a vehicle purchased in Maryland to the nonresident registration holder's state of residence for titling and registration.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

## **Regulations of COMAR Affected**

### **Department of Transportation:**

Motor Vehicle Administration – Administrative Procedures:

Motor Vehicle Fees: COMAR 11.11.05.04

Motor Vehicle Administration – Vehicle Registration:

Temporary In-transit Registration: COMAR 11.15.37.01 through .04

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## **Legal Analysis**

### **Background**

Chapter 287 of the Acts of 2019 (Senate Bill 707) authorized the Motor Vehicle Administration (MVA) to issue a temporary in-transit registration to allow a nonresident owner of a vehicle to operate the vehicle on a highway in the State only for the purpose of transporting the vehicle to a jurisdiction outside the State for titling and registration. The Act also established who could apply for an application for a temporary in-transit registration, and how such an application could be made, including what proof an applicant was required to provide. The regulations implement Chapter 287.

### **Summary of Regulations**

The regulations set a \$20 fee for a temporary in-transit registration. The regulations also establish the criteria necessary for a nonresident of the State of Maryland to apply for, and receive, a temporary in-transit registration. A temporary in-transit registration is required for a nonresident

of the State who wishes to transport a vehicle purchased in Maryland to a jurisdiction outside the state for titling and registration. In order to obtain a temporary in-transit registration, an applicant must submit a completed application, pay the \$20 fee, and provide proof of identity, residency, vehicle ownership, and insurance, as specified. The temporary in-transit registration is valid for 14 days, and the registration must reflect the expiration date.

## **Legal Issues**

The regulations present no legal issues of concern.

## **Statutory Authority and Legislative Intent**

The department cites §§ 12-104(b) and 13-405.1 of the Transportation Article as authority for the regulations. Section 12-104(b) broadly authorizes MVA to adopt regulations necessary to carry out the provisions of law that the administration is authorized or required to enforce or administer. Section 13-405.1 (1) authorizes MVA to issue a temporary in-transit registration, and to determine the period for which a temporary in-transit registration may be issued; (2) requires the fee for a temporary in-transit registration to be established by MVA; and (3) requires MVA to adopt regulations to carry out the section. The Department of Legislative Services notes that § 13-405.1 goes into effect July 1, 2020.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

## **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

## **Agency Estimate of Projected Fiscal Impact**

MVA advises that Transportation Trust Fund (TTF) revenues may increase minimally, depending on the number of temporary in-transit registrations that are issued once the regulations take effect. The Department of Legislative Services disagrees and notes that the regulations implement Chapter 287 of 2019 (Senate Bill 707), which authorizes MVA to issue (upon application and payment of a required fee) a temporary in-transit registration to allow a nonresident owner of a vehicle to operate the vehicle on a highway in the State only for the purpose of transporting the vehicle to a jurisdiction outside the State in which the vehicle is to be titled and registered. The regulations should not result in any additional impacts not already accounted for in the fiscal and policy note for Senate Bill 707. The fiscal and policy note for Senate Bill 707 indicated that TTF revenues may increase minimally, to the extent the temporary registration option is utilized. As the extent to which the option will be utilized is unknown, the impact cannot be reliably quantified; however, the regulations set the fee at \$20.

## **Impact on Budget**

There is no impact on the State operating or capital budget.

## **Agency Estimate of Projected Small Business Impact**

MVA advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

## **Contact Information**

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