

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Department of Transportation**  
(DLS Control No. 16-154)

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**Overview and Legal and Fiscal Impact**

The regulations repeal Motor Vehicle Administration regulations governing historic motor vehicles that are duplicative of the enabling statute.

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 – Vehicle Registration: Historic Motor Vehicles:  
COMAR 11.15.06.01 through .06

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**Legal Analysis**

**Background**

Section 13-936 of the Transportation Article defines “historic motor vehicle” as a passenger vehicle, motorcycle, or truck that (1) is at least 20 years old; (2) has not been substantially altered from the manufacturer’s original design; (3) meets criteria in regulations adopted by the administration (although the administration has not adopted any additional criteria for historic motor vehicles); and (4) is not a replica of an original vehicle. This section also provides for the registration and maintenance of historic motor vehicles. Section 13-936 was amended by Chapter 608 of 2016 to (1) establish a separate registration class; (2) establish registration fees; (3) establish a registration application process; and (4) require certification that a historic motor vehicle will be used in specified manners and will not be used for specified purposes.

According to the administration, COMAR 11.15.03.01 through .06 is duplicative of § 13-936 of the Transportation Article.

**Summary of Regulations**

The regulations repeal administration regulations governing historic motor vehicles, including regulations that (1) establish a separate registration class; (2) establish registration fees

by cross referencing the enabling statute; (3) establish a registration application process, including required documentation that the motor vehicle meets the criteria established in the enabling statute; and (4) require certification that a historic motor vehicle will be used in specified manners and will not be used for specified purposes.

### **Legal Issues**

The regulations present no legal issues of concern.

### **Statutory Authority and Legislative Intent**

The administration cites §§ 12-104(b) and 13-936 of the Transportation Article as statutory authority for the regulations. More specifically, § 12-104(b) establishes the broad regulatory authority of the administration to govern the Maryland Vehicle Law. Section 13-936, as amended by Chapter 608 of 2016, provides for the registration and maintenance of historic motor vehicles as discussed above.

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**

Repealing the regulations as superfluous is consistent with Chapter 608 of 2016 (House Bill 58), which modified and added to specified uses and prohibited uses of motor vehicles registered with the Motor Vehicle Administration as Class L (historic) vehicles. The administration advises that repealing current regulations has no impact on State or local governments. The Department of Legislative Services concurs.

### **Impact on Budget**

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

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

The administration 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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