
By: Delegates Valderrama, Vallario, Conroy, and Pitkin

Introduced and read first time: January 10, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Inspection Certificate for Transfer of Used Vehicles - Exception**

3 FOR the purpose of providing that an inspection certificate does not have to be obtained

4 when a used vehicle is transferred between co-owners of the vehicle; and generally

5 relating to inspection certificates.

6 BY repealing and reenacting, with amendments,

7 Article - Transportation

8 Section 23-106

9 Annotated Code of Maryland

10 (1992 Replacement Volume and 1996 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Transportation**

14 23-106.

15 (a) This section does not apply to:

16 (1) Any transfer of a used vehicle to any licensed dealer or to any foreign
17 dealer;

18 (2) Any transfer between [spouses or between a parent and child] :

19 (I) SPOUSES;

20 (II) A PARENT AND CHILD; OR

21 (III) CO-OWNERS OF THE VEHICLE TO BE TRANSFERRED;

22 (3) Any transfer of a used vehicle that is not to be both titled and registered
23 in this State;

24 (4) Any transfer of a used vehicle among any agencies of the State; or

25 (5) Any transfer of a used vehicle as described in § 13-503.2 of this article.

26 (b) (1) Except as provided in paragraph (4) of this subsection, if any licensed
27 dealer that also is an inspection station transfers any used vehicle, it shall:

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1 (i) Prepare and attach an inspection certificate to a window of the
2 vehicle; or

3 (ii) Have an inspection certificate prepared and attached to a window
4 of the vehicle by another inspection station.

5 (2) Except as provided in paragraphs (4) and (5) of this subsection, if any
6 other person transfers a used vehicle, the person shall obtain an inspection certificate
7 from an inspection station. The inspection certificate shall be issued without charge and
8 attached to a window of the vehicle.

9 (3) If a used vehicle is transferred other than by voluntary transfer or is
10 transferred by a political subdivision of the State after that subdivision obtains the vehicle
11 by proceedings pursuant to Article 27, § 297 of the Code, the transferee shall obtain the
12 inspection certificate from an authorized inspection station. The inspection certificate
13 shall be issued without charge and attached to a window of the vehicle.

14 (4) In the case of a transfer of any used vehicle registered, or to be
15 registered, as a Class E (truck) exceeding three-fourths ton manufacturer's rated
16 capacity, Class F (tractor), Class G (freight trailer or semitrailer), or Class G (dump
17 service semitrailer) vehicle, the transferor or the transferee of the vehicle may obtain the
18 required inspection certificate.

19 (5) In the case of a transfer of any used vehicle registered or to be
20 registered, that is sold for dismantling or rebuilding purposes, the transferor or the
21 transferee of the vehicle may obtain the required inspection certificate.

22 (6) On applying for a certificate of title of the vehicle, the transferee shall
23 remove the inspection certificate from the vehicle and present it to the Administration.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 1997.