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**By: Senators Baker, Hoffman, Amoss, Craig, Stoltzfus, Lawlah, Kasemeyer, Bromwell, Kelley, Colburn, Middleton, Jimeno, Blount, and Boozer**

Introduced and read first time: January 27, 1997

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles - Commemorative License Plate - Horse Racing and Horse Breeding**

3 FOR the purpose of requiring that the Motor Vehicle Administration issue a special  
4 original or substitute license plate to commemorate the history of horse racing and  
5 horse breeding in the State; making certain requirements governing eligibility for  
6 other types of commemorative license plates applicable to this new type of plate;  
7 making certain requirements governing the annual registration fee for other types of  
8 commemorative license plates applicable to this new type of plate; requiring that  
9 certain surplus moneys be deposited in the Special Fund administered by the State  
10 Racing Commission; requiring that the Commission use the money that is paid into  
11 the Special Fund to enhance purses for certain horse races; requiring that the  
12 allocation formula be determined by certain persons, subject to the approval of the  
13 Commission; and generally relating to commemorative license plates, horse racing,  
14 and horse breeding.

15 BY repealing and reenacting, with amendments,  
16 Article - Transportation  
17 Section 13-618  
18 Annotated Code of Maryland  
19 (1992 Replacement Volume and 1996 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article - Business Regulation  
22 Section 11-402 and 11-403  
23 Annotated Code of Maryland  
24 (1992 Volume and 1996 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
26 MARYLAND, That the Laws of Maryland read as follows:

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1           **Article - Transportation**

2 13-618.

3           (a) The Administration may issue special commemorative original or substitute  
4 registration plates for any geographical, historical, natural resource, or environmental  
5 commemoration of statewide significance.

6           (B) THE ADMINISTRATION SHALL ISSUE A SPECIAL ORIGINAL OR SUBSTITUTE  
7 REGISTRATION PLATE TO COMMEMORATE THE HISTORY OF HORSE RACING AND  
8 HORSE BREEDING IN THE STATE.

9           [(b)] (C) The owner of a vehicle, or a lessee of the vehicle under a lease not  
10 intended as security, or a director, officer, employee, or partner of a business entity that  
11 owns the vehicle considered eligible by the Administration may apply to the  
12 Administration for the assignment of a commemorative registration plate under this  
13 section if the vehicle is included in one of the following classes:

14                   (1) A Class A (passenger) vehicle;

15                   (2) A Class B (for hire) vehicle;

16                   (3) A Class E (truck) vehicle with a manufacturer's rated capacity of one ton  
17 or less;

18                   (4) A Class G (trailer) vehicle; or

19                   (5) A Class M (multipurpose) vehicle.

20           [(c)] (D) (1) An original or substitute commemorative plate may only be issued  
21 under this section for a fixed period of 2 consecutive years after its initial issuance.

22                   (2) The Administration may only issue 1 commemorative plate under  
23 SUBSECTION (A) OF this section at any one time.

24           [(d)] (E) (1) In addition to the annual registration fee otherwise required under  
25 this title, an owner of a vehicle assigned a commemorative registration plate under this  
26 section shall pay the fee set by the Administration when the new registration plates are  
27 issued to the vehicle under this section.

28                   (2) (i) The Administration shall set the fee at a level that will enable the  
29 Administration to recover its costs under this section.

30                           (ii) The Administration may charge a fee that is sufficient to result in  
31 a surplus after costs are subtracted.

32                           (iii) The Administration shall retain a portion of the fee that is  
33 sufficient to allow the Administration to recover any costs of issuing and distributing  
34 commemorative plates under this section.

35                           [(iv)] Any surplus moneys remaining after the Administration has  
36 recovered the costs of issuing a commemorative plate under this section may not be  
37 retained by or transferred to any agency of the State for any purpose.

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1 (v) Notwithstanding subparagraph (iv) of this paragraph, the surplus  
 2 moneys may be retained for the purpose described in paragraph (3) of this subsection.]

3 (3) (I) ANY SURPLUS MONEYS REMAINING AFTER THE  
 4 ADMINISTRATION HAS RECOVERED THE COSTS OF ISSUING A COMMEMORATIVE  
 5 PLATE UNDER SUBSECTION (A) OF THIS SECTION MAY NOT BE RETAINED BY OR  
 6 TRANSFERRED TO ANY AGENCY OF THE STATE FOR ANY PURPOSE.

7 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH,  
 8 THE SURPLUS MONEYS REMAINING AFTER THE ADMINISTRATION HAS RECOVERED  
 9 THE COSTS OF ISSUING A COMMEMORATIVE PLATE UNDER SUBSECTION (A) OF THIS  
 10 SECTION MAY BE RETAINED FOR THE PURPOSE DESCRIBED IN SUBPARAGRAPH (III)  
 11 OF THIS PARAGRAPH.

12 (III) The surplus moneys shall be disbursed by the Administration to a  
 13 nonprofit organization that is:

14 [(i)] 1. Closely related to the geographical, historical, natural  
 15 resource, or environmental theme which the plate commemorates; and

16 [(ii)] 2. Designated by the Administration under subsection [(e)] (F)  
 17 of this section.

18 (4) ANY SURPLUS MONEYS REMAINING AFTER THE ADMINISTRATION  
 19 HAS RECOVERED THE COSTS OF ISSUING A SPECIAL PLATE UNDER SUBSECTION (B)  
 20 OF THIS SECTION TO COMMEMORATE THE HISTORY OF HORSE RACING AND HORSE  
 21 BREEDING IN THE STATE SHALL BE DEPOSITED IN THE SPECIAL FUND ESTABLISHED  
 22 UNDER § 11-401 OF THE BUSINESS REGULATION ARTICLE.

23 (5) No portion of the REGISTRATION fee COLLECTED UNDER THIS  
 24 SECTION may be credited to the Gasoline and Motor Vehicle Revenue Account for  
 25 distribution under § 8-403 or § 8-404 of the Transportation Article.

26 [(e)] (F) (1) The Administration shall adopt regulations not inconsistent with  
 27 the Maryland Vehicle Law to govern the issuance of special registration plates under this  
 28 section.

29 (2) Before designating any nonprofit organization to receive any surplus  
 30 moneys and before distributing any surplus moneys to any nonprofit organization, the  
 31 Administration shall adopt regulations specific to each new commemorative plate  
 32 detailing:

33 (i) The name and nature of the nonprofit organization receiving the  
 34 money;

35 (ii) The relationship of the nonprofit organization to the geographical,  
 36 historical, natural resource, or environmental theme which the plate commemorates; and

37 (iii) The plan of distribution of the funds.

38 [(f)] (G) The additional fee to the annual registration fee required by this section  
 39 is not required for special registration of a vehicle that is exempt under § 13-903 of this  
 40 title, or a vehicle with a special registration plate recognizing:

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1 (1) The Maryland National Guard; or

2 (2) A volunteer fire department, volunteer rescue squad, or volunteer  
3 ambulance company in this State.

4 [(g)] (H) (1) A special registration number as specified by the Administration  
5 and assigned under this section may consist of:

6 (i) Any combination of:

7 1. Letters; and

8 2. Numerals; and

9 (ii) Any design approved by the Administration that adequately  
10 reflects the geographical, historical, natural resource, or environmental theme which the  
11 plate commemorates.

12 (2) A special registration number or design assigned under this section shall  
13 be displayed on the registration plates for the vehicle.

14 **Article - Business Regulation**

15 11-402.

16 The Special Fund consists of:

17 (1) the State share of daily licensee fees;

18 (2) pari-mutuel taxes;

19 (3) the impact aid under § 11-812 of this title;

20 (4) money from uncashed pari-mutuel tickets that are from bets made into  
21 the betting pools of nonharness licensees; [and]

22 (5) any permit fees under §§ 11-820 and 11-832 of this title; AND

23 (6) SURPLUS MONEYS REMAINING AFTER THE MOTOR VEHICLE  
24 ADMINISTRATION HAS RECOVERED THE COSTS OF ISSUING A SPECIAL  
25 REGISTRATION PLATE TO COMMEMORATE THE HISTORY OF HORSE RACING AND  
26 HORSE BREEDING IN THE STATE UNDER § 13-618(E)(4) OF THE TRANSPORTATION  
27 ARTICLE.

28 11-403.

29 (a) The Comptroller shall pay from the Special Fund an annual grant of:

30 (1) \$600,000 to the Maryland Agricultural Fair Board to promote State and  
31 county agricultural fairs and exhibits;

32 (2) \$100,000 to Prince George's County to replace money formerly received  
33 from the admissions and amusement tax;

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1                   (3) \$40,000 to the Great Frederick Fair to support exhibition harness racing  
2 with money for construction and maintenance of new stalls, track maintenance, and  
3 purses;

4                   (4) \$50 to the City of Bowie for each day that the training facilities are open  
5 at the Bowie Race Course Training Center; and

6                   (5) \$75,000 to the Maryland Agricultural Education Foundation, Inc., to  
7 promote and enhance statewide agricultural education.

8                   (b) (1) ALL MONEY PAID INTO THE SPECIAL FUND BY THE MOTOR VEHICLE  
9 ADMINISTRATION, AS REQUIRED BY § 13-618(E)(4) OF THE TRANSPORTATION  
10 ARTICLE, SHALL BE DISTRIBUTED ANNUALLY TO THE COMMISSION AND BE USED TO  
11 INCREASE PURSES OFFERED IN HARNESS RACES AND MILE THOROUGHBRED  
12 RACES.

13                   (2) SUBJECT TO THE APPROVAL OF THE COMMISSION, THE FORMULA  
14 FOR ALLOCATING THE MONEY TO INDIVIDUAL RACES SHALL BE AGREED UPON BY  
15 THE LICENSEES, THE ORGANIZATION THAT REPRESENTS A MAJORITY OF OWNERS  
16 AND TRAINERS OF STANDARD BRED HORSES IN THE STATE, AND THE  
17 ORGANIZATION THAT REPRESENTS A MAJORITY OF OWNERS AND TRAINERS OF  
18 THOROUGHBRED HORSES IN THE STATE.

19                   (C) If the Maryland State Fair remains at the Timonium Fair Grounds, the  
20 Comptroller shall pay from the Special Fund an annual grant of:

21                   (1) \$500,000 to the Maryland State Fair and Agricultural Society, Inc., to:

22                               (i) promote and enhance the Maryland State Fair; and

23                               (ii) maintain and develop youth programs, with premium money  
24 provided to organizations, such as 4-H Clubs and the Future Farmers of America, for  
25 recognition and awards; and

26                   (2) \$50,000 to Baltimore County to replace the money formerly received by  
27 the County under this subtitle.

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