

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1017
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Parking Violations -"; in the same line, strike "and Leasing Companies" and substitute "Vehicles"; strike beginning with "establishing" in line 3 down through "circumstances" in line 8 and substitute "providing that an alleged violation of a certain criminal provision relating to the abandonment or failure to return certain motor vehicles shall be considered a reportable theft for certain reporting purposes; limiting the liability of an owner of a rental vehicle for penalties relating to parking citations under specified circumstances; requiring reimbursement of an owner of a rental vehicle of the amount paid due to a parking citation under specified circumstances; defining a certain term; providing for a delayed effective date for certain provisions of this Act; stating the intent of the General Assembly that the Motor Vehicle Administration take certain action in relation to the implementation of certain provisions of this Act"; in line 9, strike "motor vehicles,"; in the same line, after "violations" insert "involving rental vehicles"; in the same line, after the first "and" insert "the reporting of certain alleged criminal violations pertaining to the failure to return motor vehicles owned by";

after line 9, insert:

"BY repealing and reenacting, without amendments,

Article 27 - Crimes and Punishments

Section 206

Annotated Code of Maryland

(1996 Volume and 1997 Supplement)";

in line 10, strike "without" and substitute "with"; in line 12, after "Section" insert "14-105 and"; and in line 15, strike "with" and substitute "without".

AMENDMENT NO. 2

(Over)

On page 1, after line 21, insert:

“Article 27 - Crimes and Punishments

206.

Any person who, after hiring, leasing or renting a motor vehicle under agreement to return such motor vehicle at the termination of the period for which such motor vehicle is hired, leased or rented, shall abandon such motor vehicle, or refuse or wilfully neglect to return the same, shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than five hundred (\$500) dollars, or imprisonment for not more than one year, or to both fine and imprisonment.

Article - Transportation

14-105.

(a) If a police officer receives reliable information that a vehicle has been stolen, the police officer shall immediately report the theft to the Administration and the Department of State Police, unless the police officer has received reliable information of the recovery of the vehicle.

(b) AN ALLEGED VIOLATION UNDER ARTICLE 27, § 206 OF THE CODE SHALL BE A REPORTABLE THEFT OF A VEHICLE FOR PURPOSES OF SUBSECTION (A) OF THIS SECTION.

(C) If a police officer receives reliable information that a vehicle which he previously reported stolen has been recovered, he shall immediately report the recovery to the Administration and the Department of State Police.

[(c)] (D) If a vehicle titled or registered in this State has been stolen, the owner or secured party may notify the Administration of the theft.

[(d)] (E) Every person who has given notice under subsection [(c)] (D) of this section shall notify the Administration of a recovery of the vehicle.

[(e)] (F) The Administration shall maintain and appropriately index cumulative public records of stolen vehicles reported to it under this section.

[(f)] (G) The Administration may suspend the registration of a vehicle whose theft is reported to it under this section.

[(g)] (H) Until the Administration learns of the recovery of the vehicle or that the report of its theft was erroneous, it may not issue a certificate of title for the vehicle.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

AMENDMENT NO. 3

On page 2, after line 10, insert:

“(D) (1) IN THIS SUBSECTION, “RENTAL VEHICLE” MEANS A VEHICLE THAT IS RENTED OR LEASED FOR A PERIOD NOT EXCEEDING 180 DAYS.

(2) IF A PARKING CITATION IS ISSUED FOR A RENTAL VEHICLE, THE OWNER IS NOT LIABLE FOR ANY PENALTY IN EXCESS OF THE ORIGINAL FINE FOR A PARKING VIOLATION UNLESS THE OWNER FAILS TO PAY THE FINE OR FILE A NOTICE OF INTENTION TO STAND TRIAL FOR THE VIOLATION WITHIN THE TIME SPECIFIED IN A NOTICE OF THE INFRACTION MAILED TO THE BUSINESS ADDRESS OF THE OWNER.

(3) IF A POLITICAL SUBDIVISION OR STATE AGENCY RECEIVES PAYMENT FOR A PARKING VIOLATION FROM BOTH THE OWNER OF THE VEHICLE AND THE PERSON WHO HAD POSSESSION OF THE RENTAL VEHICLE AT THE TIME THE PARKING CITATION WAS ISSUED, THE POLITICAL SUBDIVISION OR STATE AGENCY SHALL REIMBURSE THE OWNER OF THE VEHICLE FOR THE AMOUNT PAID BY THE OWNER FOR THE VIOLATION.”;

in line 18, strike “(1)”; strike beginning with “AND” in line 18 down through “SUBSECTION” in line 19; strike in their entirety lines 21 through 24, inclusive; in line 26, strike the brackets; and in the same line, strike “EXCEPT AS PROVIDED IN SUBSECTION (H) OF THIS SECTION, THE”.

On page 4, strike in their entirety lines 21 through 29, inclusive.

(Over)

AMENDMENT NO. 4

On page 4, after line 29, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, before January 1, 1999, the Motor Vehicle Administration shall work with representatives of local governments and the rental vehicle industry on the implementation of Section 2 of this Act, with the goal of minimizing the flagging of rental vehicle registrations due to unpaid parking citations without notice to the owners of rental vehicles.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 1999. “;

in line 30, strike “2.” and substitute “5.”; and in the same line, after “That” insert “, subject to Section 4 of this Act,”.