

HOUSE BILL 76

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R4

1998 Regular Session
(8lr0774)

ENROLLED BILL

-- Commerce and Government Matters/Judicial Proceedings --

Introduced by **Delegate Arnick**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Certificate of Title - Age of Majority**

3 FOR the purpose of prohibiting the Motor Vehicle Administration from issuing a
4 certificate of title for a vehicle in the State to an individual who is not at least 18
5 years of age unless the application for the certificate of title is cosigned by a
6 qualifying adult; requiring an individual cosigning on behalf of a minor to certify
7 the accuracy of certain information; requiring an applicant for a certificate of
8 title to provide the applicant's date of birth under certain circumstances;
9 providing for the application of this Act; and generally relating to the issuance of
10 certificates of title to minors.

11 BY repealing and reenacting, with amendments,
12 Article - Transportation
13 Section 13-104
14 Annotated Code of Maryland
15 (1992 Replacement Volume and 1997 Supplement)

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

3 **Article - Transportation**

4 13-104.

5 (a) The application for a certificate of title of a vehicle shall be made by the
6 owner of the vehicle on the form that the Administration requires.

7 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE
8 ADMINISTRATION MAY NOT ISSUE A CERTIFICATE OF TITLE TO ANY INDIVIDUAL
9 WHO IS NOT AT LEAST 18 YEARS OLD.

10 (2) THE ADMINISTRATION MAY ISSUE A CERTIFICATE OF TITLE TO AN
11 INDIVIDUAL UNDER THE AGE OF 18 YEARS IF THE INDIVIDUAL SUBMITS AN
12 APPLICATION FOR A CERTIFICATE OF TITLE THAT IS COSIGNED BY:

13 (I) A PARENT OR GUARDIAN OF THE APPLICANT; OR

14 (II) IF THE APPLICANT HAS NO PARENT OR GUARDIAN OR IS
15 MARRIED, AN ADULT EMPLOYER OF THE APPLICANT OR ANY OTHER RESPONSIBLE
16 ADULT.

17 (3) THE INDIVIDUAL COSIGNING THE APPLICATIONS APPLICATION OF A
18 MINOR UNDER THIS SUBSECTION SHALL CERTIFY THAT THE STATEMENTS MADE IN
19 THE APPLICATION ARE TRUE TO THE BEST OF THE COSIGNER'S KNOWLEDGE,
20 INFORMATION, AND BELIEF.

21 [(b)] (C) The application shall contain:

22 (1) The full name and Maryland address of the owner, including:

23 (i) If the owner is an individual, the owner's Maryland residence
24 and mailing addresses;

25 (ii) If the owner is a business firm, association, or corporation, its
26 business address in this State or the name and address of a resident agent in this
27 State;

28 (iii) If the owner is a partnership or joint venture, the [names]
29 NAME of each partner or joint venturer;

30 (iv) If the owner is an unincorporated association, joint stock
31 company, or other group described in § 6-406 of the Courts Article, the name and
32 address of a resident agent on whom service may be made in any law suit arising out
33 of the ownership, maintenance, or use of the vehicle; and

1 (v) If the owner is a trustee, the address of the trust in this State
2 and the name and address of a person in this State on whom service may be made in
3 any law suit arising out of the ownership, maintenance, or use of the vehicle;

4 (2) (I) IF THE OWNER IS AN INDIVIDUAL, THE OWNER'S DATE OF
5 BIRTH; AND

6 (II) IF THE OWNER IS A PARTNERSHIP OR JOINT VENTURE, THE
7 DATE OF BIRTH OF EACH PARTNER OR JOINT VENTURER;

8 [(2)] (3) A description of the vehicle, including:

9 (i) To the extent that the information exists, its make, model, year,
10 vehicle identification number, type of body, and number of cylinders;

11 (ii) If the vehicle is a two-stage vehicle:

12 1. The make and year of the first stage; and

13 2. The make, model, and year of the second stage;

14 (iii) If the vehicle is a motorcycle with an engine manufactured on or
15 after January 1, 1977, the identifying number of the engine; and

16 (iv) Any other information that the Administration requires;

17 [(3)] (4) A statement of:

18 (i) The applicant's title to and each security interest in the vehicle;
19 and

20 (ii) The name and address of each secured party with any security
21 interest in the vehicle and the nature and order of priority of that interest; and

22 [(4)] (5) Any other information that the Administration reasonably
23 requires to determine if the owner is entitled to a certificate of title.

24 [(c)] (D) The application shall be signed in ink by:

25 (1) Each owner who is an individual;

26 (2) THE INDIVIDUAL COSIGNING THE APPLICATION ON BEHALF OF A
27 MINOR IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION;

28 (3) An officer or authorized agent of the owner, if the owner is a business
29 firm, association, or corporation;

30 (4) A partner or joint venturer, if the owner is a partnership or joint
31 venture;

1 ~~(4)~~ (5) An officer or authorized agent, if the owner is an
2 unincorporated association, joint stock company, or other group described in § 6-406
3 of the Courts Article; or

4 ~~(5)~~ (6) A trustee, if the owner is a trust.

5 [(d)] (E) The application shall be accompanied by each certificate of title of the
6 vehicle that previously may have been issued by this or any other state and still is
7 outstanding.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
9 construed only prospectively and may not be applied or interpreted to have any effect
10 on or application to any certificate of title issued by the Motor Vehicle Administration
11 before October 1, 1998.

12 ~~SECTION 2. 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
13 effect October 1, 1998.