

HOUSE BILL 76

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R4

1998 Regular Session  
8lr0774  
CF 8lr2460

(PRE-FILED)

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By: **Delegate Arnick**

Requested: November 14, 1997

Introduced and read first time: January 14, 1998

Assigned to: Commerce and Government Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 1998

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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)

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

18 **Article - Transportation**

19 13-104.

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

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

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

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

8 (II) IF THE APPLICANT HAS NO PARENT OR GUARDIAN OR IS  
9 MARRIED, AN ADULT EMPLOYER OF THE APPLICANT OR ANY OTHER RESPONSIBLE  
10 ADULT.

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

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

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

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

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

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

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

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

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

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

35 [(2)] (3) A description of the vehicle, including:

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

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

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

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

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

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

9 [(3)] (4) A statement of:

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

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

14 [(4)] (5) Any other information that the Administration reasonably  
15 requires to determine if the owner is entitled to a certificate of title.

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

17 (1) Each owner who is an individual;

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

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

22 ~~(3)~~ (4) A partner or joint venturer, if the owner is a partnership or joint  
23 venture;

24 ~~(4)~~ (5) An officer or authorized agent, if the owner is an  
25 unincorporated association, joint stock company, or other group described in § 6-406  
26 of the Courts Article; or

27 ~~(5)~~ (6) A trustee, if the owner is a trust.

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

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
32 construed only prospectively and may not be applied or interpreted to have any effect

1 on or application to any certificate of title issued by the Motor Vehicle Administration  
2 before October 1, 1998.

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