Unofficial Copy R6 1998 Regular Session 8lr1867

By: Delegate Minnick

Introduced and read first time: February 9, 1998 Assigned to: Commerce and Government Matters

A BILL ENTITLED

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1	AN	ACT	concerning

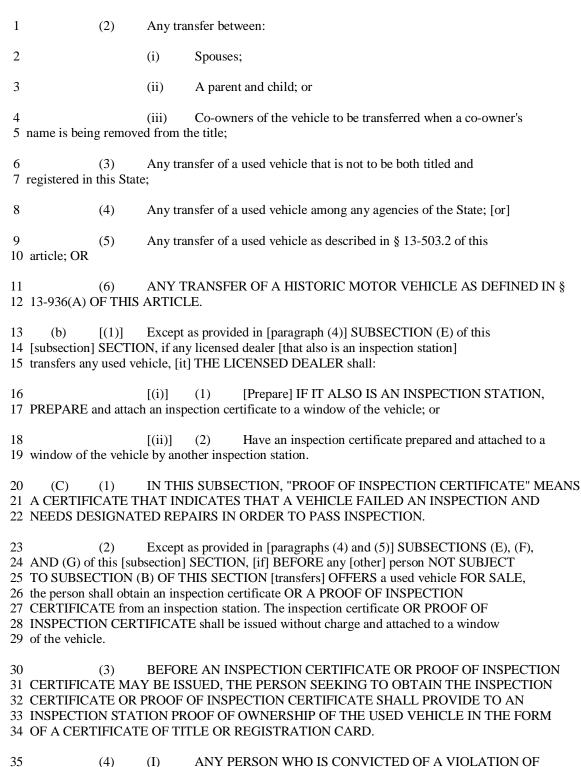
2 Vehicle Laws - Sale of Used Vehicles - Inspections

- 3 FOR the purpose of exempting the transfer of certain used vehicles from certain
- 4 inspection requirements; altering inspection requirements governing the
- 5 transfer of used vehicles by certain persons who offer used vehicles for sale;
- 6 providing for issuance of a proof of inspection certificate under certain
- 7 circumstances and allowing certain persons to offer a used vehicle for sale with
- 8 a proof of inspection certificate; requiring proof of ownership as part of an
- 9 inspection process; establishing a penalty relating to the transfer of used
- vehicles and inspection requirements; requiring the transferee of a used vehicle
- to obtain an inspection certificate under certain circumstances; requiring the
- 12 Automotive Safety Enforcement Division of the Department of State Police to
- issue proof of inspection certificate forms; prohibiting an inspection station or its
- employees from issuing a proof of inspection certificate without having
- 15 conducted an inspection; defining a certain term; making stylistic changes; and
- generally relating to the transfer of used vehicles and vehicle inspection
- 17 requirements.
- 18 BY repealing and reenacting, with amendments,
- 19 Article Transportation
- 20 Section 23-106, 23-108, and 23-109(a)
- 21 Annotated Code of Maryland
- 22 (1992 Replacement Volume and 1997 Supplement)
- 23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 24 MARYLAND, That the Laws of Maryland read as follows:
- 25 **Article Transportation**

26 23-106.

- 27 (a) This section does not apply to:
- 28 (1) Any transfer of a used vehicle to any licensed dealer or to any foreign

29 dealer;



36 PARAGRAPH (2) OF THIS SUBSECTION IS SUBJECT TO A FINE NOT EXCEEDING \$250.

HOUSE BILL 658

	(II) THE OFFERING FOR SALE OF EACH USED VEHICLE WITHOUT AN INSPECTION CERTIFICATE OR PROOF OF INSPECTION CERTIFICATE IS A SEPARATE OFFENSE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.
6 7 8	[(3)] (D) If a used vehicle is transferred other than by voluntary transfer or is transferred by a political subdivision of the State after that subdivision obtains the vehicle by proceedings pursuant to Article 27, § 297 of the Code, the transferee shall obtain the inspection certificate from an authorized inspection station. The inspection certificate shall be issued without charge and attached to a window of the vehicle.
12 13	[(4)] (E) In the case of a transfer of any used vehicle registered, or to be registered, as a Class E (truck) exceeding three-fourths ton manufacturer's rated capacity, Class F (tractor), Class G (freight trailer or semitrailer), or Class G (dump service semitrailer) vehicle, the transferor or the transferee of the vehicle may obtain the required inspection certificate.
	(F) IN THE CASE OF A TRANSFER OF ANY USED VEHICLE THAT WAS REPOSSESSED BY A LIENHOLDER, THE TRANSFEREE OF THE VEHICLE SHALL OBTAIN THE REQUIRED INSPECTION CERTIFICATE.
	[(5)] (G) In the case of a transfer of any used vehicle registered or to be registered, that is sold for dismantling or rebuilding purposes, the transferor or the transferee of the vehicle may obtain the required inspection certificate.
	[(6)] (H) On applying for a certificate of title of the vehicle, the transferee shall remove the inspection certificate from the vehicle and present it to the Administration.
24	23-108.
27	The Division shall prepare inspection certificate AND PROOF OF INSPECTION CERTIFICATE forms and provide them without charge to inspection stations. The forms shall be serially numbered and shall require the information that the Administration and the Division determine.
29	23-109.
	(a) An inspection station or any of its employees may not issue an inspection certificate OR A PROOF OF INSPECTION CERTIFICATE for a vehicle without having inspected its equipment.
33 34	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.