

HOUSE BILL 819

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1998 Regular Session
8lr2186
CF SB 135

By: **Delegates Stocksdale, Leopold, Faulkner, DeCarlo, Marriott, Weir,
Ciliberti and Cryor**

Introduced and read first time: February 12, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Insurance Verification Before Vehicle Emissions Test**

3 FOR the purpose of requiring a vehicle owner to provide certain proof of vehicle
4 insurance coverage before the vehicle may be tested and inspected under the
5 State's emissions control program; providing that the failure to provide the proof
6 required under this Act establishes a certain rebuttable presumption resulting
7 in suspension of the vehicle's registration and the assessment of certain
8 uninsured motorist penalties; requiring the Motor Vehicle Administration to
9 provide a certain notice to vehicle owners; and generally relating to motor
10 vehicle insurance verification.

11 BY adding to
12 Article - Transportation
13 Section 17-111
14 Annotated Code of Maryland
15 (1992 Replacement Volume and 1997 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Transportation
18 Section 23-206
19 Annotated Code of Maryland
20 (1992 Replacement Volume and 1997 Supplement)

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

23 **Article - Transportation**

24 17-111.

25 IF A VEHICLE OWNER FAILS TO PROVIDE PROOF OF CONTINUOUS INSURANCE
26 COVERAGE AS REQUIRED BY § 23-206(D) OF THIS ARTICLE:

1 (1) THERE IS A PRESUMPTION, WHICH MAY BE REBUTTED AS SPECIFIED
2 IN § 17-108(A)(5) AND (6) OF THIS SUBTITLE, THAT THE VEHICLE HAS BEEN
3 UNINSURED SINCE THE EFFECTIVE DATE OF THE VEHICLE'S MOST RECENT
4 REGISTRATION; AND

5 (2) THE ADMINISTRATION SHALL:

6 (I) SUSPEND THE REGISTRATION OF THE VEHICLE; AND

7 (II) ASSESS THE UNINSURED MOTORIST PENALTIES PROVIDED
8 UNDER THIS SUBTITLE.

9 23-206.

10 (a) An owner of a motor vehicle that is registered in this State shall have the
11 vehicle inspected and tested as required under this subtitle.

12 (b) A motor vehicle registered in this State, unless exempted or given a waiver
13 under this subtitle, shall meet the standards and requirements of this subtitle.

14 (c) Notwithstanding any rule or regulation to the contrary, the owner of any
15 gasoline powered motor vehicle registered under § 13-916 of this article, with a
16 maximum gross weight up to and including 26,000 pounds, shall have the vehicle
17 inspected and tested as required under this subtitle.

18 (D) (1) BEFORE A MOTOR VEHICLE MAY BE INSPECTED AND TESTED UNDER
19 THIS SUBTITLE, THE OWNER OF THE VEHICLE SHALL SUBMIT PROOF THAT THE
20 VEHICLE TO BE INSPECTED WAS COVERED CONTINUOUSLY BY THE SECURITY
21 REQUIRED BY § 17-103 OF THIS ARTICLE FROM THE DATE OF THE VEHICLE'S MOST
22 RECENT REGISTRATION UNTIL THE DATE THE NOTICE OF INSPECTION WAS ISSUED.

23 (2) THE PROOF REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION
24 SHALL BE:

25 (I) ON A FORM PRESCRIBED BY THE ADMINISTRATION; AND

26 (II) CERTIFIED BY AN INSURER OR AGENT.

27 (3) THE ADMINISTRATION SHALL PROVIDE NOTICE OF THE
28 REQUIREMENTS OF THIS SUBSECTION AND THE PENALTIES SPECIFIED IN § 17-111 OF
29 THIS ARTICLE IN INSPECTION NOTICES SENT TO VEHICLE OWNERS UNDER THIS
30 SUBTITLE.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1998.