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By: **Delegates Palumbo, Vallario, and Holt**  
Introduced and read first time: February 13, 1998  
Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Vehicle Laws - Required Registration and Certificate of Title - Farm**  
3                                   **Equipment**

4 FOR the purpose of requiring owners of farm equipment with an engine capacity in  
5 excess of a certain amount to obtain certificates of title from the Motor Vehicle  
6 Administration for the farm equipment and to register the farm equipment;  
7 making conforming changes; and generally relating to the registration and titles  
8 of farm equipment.

9 BY repealing and reenacting, with amendments,  
10 Article - Transportation  
11 Section 13-102, 13-103, and 13-402(a) and (c)  
12 Annotated Code of Maryland  
13 (1992 Replacement Volume and 1997 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article - Transportation  
16 Section 13-402(b)  
17 Annotated Code of Maryland  
18 (1992 Replacement Volume and 1997 Supplement)

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

21                                   **Article - Transportation**

22 13-102.

23 A certificate of title is not required for:

24                   (1) A vehicle owned and used by the United States, unless it is registered  
25 in this State;

1           (2)     A new vehicle owned by a manufacturer or dealer and held for sale,  
2 even though incidentally moved on the highway or used for purposes of testing or  
3 demonstration;

4           (3)     A vehicle used by a manufacturer only for testing;

5           (4)     A vehicle owned by a nonresident of this State and not required by  
6 law to be registered in this State;

7           (5)     A vehicle regularly engaged in the interstate transportation of people  
8 or property and for which a currently effective certificate of title has been issued in  
9 another state;

10          (6)     A vehicle moved only by human or animal power;

11          (7)     A bicycle;

12          (8)     A vehicle in which interest has passed to a secured party on default of  
13 the owner;

14          (9)     Farm equipment WITH AN ENGINE UNDER 60-HORSEPOWER;

15          (10)    Special mobile equipment;

16          (11)    A self-propelled invalid:

17               (i)     Wheelchair; or

18               (ii)    Tricycle; or

19          (12)    A trailer, other than a camping trailer, rated by the manufacturer as  
20 having a gross vehicle weight of 2,500 pounds or less.

21 13-103.

22       (a)     The owner of farm equipment WITH AN ENGINE UNDER 60-HORSEPOWER  
23 or special mobile equipment may apply for and obtain a certificate of title for the farm  
24 equipment or special mobile equipment.

25       (b)     All of the provisions of this title are applicable to a certificate of title issued  
26 under this section, except that:

27           (1)     A person who receives a transfer of an interest in the vehicle without  
28 knowledge of the certificate of title is not prejudiced by reason of the existence of the  
29 certificate; and

30           (2)     The perfection of a security interest under Subtitle 2 of this title is  
31 not effective until the secured party has complied with the applicable law that  
32 otherwise relates to the perfection of security interests in personal property.

1 13-402.

2 (a) (1) Except as otherwise provided in this section or elsewhere in the  
3 Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven  
4 on a highway AND FARM EQUIPMENT WITH A 60-HORSEPOWER OR GREATER ENGINE  
5 shall be registered under this subtitle.

6 (2) If a motor vehicle required to be registered under this subtitle is not  
7 registered, a person may not park the unregistered motor vehicle on any:

8 (i) Public alley, street, or highway; or

9 (ii) Private property used by the public in general, including  
10 parking lots of shopping centers, condominiums, apartments, or town house  
11 developments.

12 (3) The provisions of paragraph (2) of this subsection do not apply to a  
13 motor vehicle that is exempt from registration under this section or § 13-402.1 of this  
14 subtitle.

15 (b) Except as otherwise expressly authorized in this title, the Administration  
16 may not register or renew the registration of a vehicle unless the Administration has  
17 issued to the owner a certificate of title of the vehicle or has received an application  
18 for the certificate of title.

19 (c) Registration under this subtitle is not required for:

20 (1) A vehicle that is driven on a highway:

21 (i) In conformity with the provisions of this title relating to  
22 manufacturers, transporters, dealers, secured parties, owners or operators of special  
23 mobile equipment, or nonresidents; or

24 (ii) Under a temporary registration card issued by the  
25 Administration;

26 (2) A vehicle owned and used by the United States, unless an authorized  
27 officer or employee of the United States requests registration of the vehicle;

28 (3) A farm tractor or any farm equipment WITH AN ENGINE UNDER  
29 60-HORSEPOWER;

30 (4) A vehicle the front or rear wheels of which are lifted from the  
31 highway;

32 (5) A towed vehicle that is attached to the towing vehicle by a tow bar  
33 and for which no driver is necessary;

34 (6) A vehicle owned by and in the possession of a licensed dealer for  
35 purpose of sale;

1           (7)     A vehicle owned by a new resident of this State during the first 30  
2 days of his residency provided the vehicle displays valid registration issued by the  
3 jurisdiction of his former domicile;

4           (8)     New vehicles displaying a shuttle permit issued by the  
5 Administration;

6           (9)     A vehicle operated in connection with maritime commerce exclusively  
7 within any terminal owned or leased by the Maryland Port Administration;

8           (10)    A snowmobile which is operated on highways and roadways as  
9 prescribed by § 25-102(a)(14) of this article;

10          (11)    A golf cart which is operated on a highway on Smith Island, provided  
11 that the golf cart is equipped with lighting devices as required by the Administration  
12 if it is operated on a highway between dusk and dawn; or

13          (12)    A vehicle owned by an accredited consular or diplomatic officer of a  
14 foreign government and operated for official or personal purposes when the vehicle  
15 displays a valid diplomatic license plate issued by the United States government.

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