

SENATE BILL 88

Unofficial Copy  
R4

1998 Regular Session  
(8lr0596)

ENROLLED BILL

-- Judicial Proceedings/Commerce and Government Matters --

Introduced by **Senators Dyson, Colburn, Collins, Hollinger, Middleton,  
Munson, Ruben, Stone, and Teitelbaum**

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.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws - ~~Registration~~ - Animal Friendly Commemorative License**  
3 **Plates**

4 FOR the purpose of requiring the ~~Motor Vehicle Administration~~ to issue specially  
5 ~~designed animal friendly commemorative registration plates to enhance public~~  
6 ~~awareness of the State's commitment to manage the population of dogs and cats~~  
7 ~~through sterilization and to subsidize the efforts of certain entities that~~  
8 ~~humanely sterilize dogs and cats in the State; requiring the Governor to appoint~~  
9 ~~a certain number of individuals to a committee to develop, organize, and~~  
10 ~~implement a statewide contest to design the commemorative plates; restricting~~  
11 ~~the issuance of the commemorative plates to certain classes of vehicles;~~  
12 ~~requiring the Administration to charge an additional registration fee for the~~  
13 ~~commemorative plates under certain circumstances; requiring the~~  
14 ~~Administration to transfer a certain portion of the additional registration fee~~  
15 ~~charged for commemorative plates issued under this Act to certain counties~~  
16 ~~monthly; requiring counties receiving funds under this Act either to distribute~~

1 the funds received in a certain manner to certain entities or to return the funds  
 2 to the Administration; providing for the allocation of funds returned by a county  
 3 to the Administration Governor to appoint a committee to design an emblem or  
 4 logo for use on organizational license plates by animal humane societies or  
 5 similar organizations for specified purposes; specifying the membership of the  
 6 committee; authorizing the committee to solicit suggestions from certain groups;  
 7 providing that the final design is subject to the approval of the Motor Vehicle  
 8 Administration; specifying legislative intent concerning use of the emblem or  
 9 logo; clarifying that certain fees might be charged by eligible organizations and  
 10 that the fees are intended for certain purposes; providing for the termination of  
 11 certain provisions of this Act; and generally relating to the issuance of  
 12 commemorative organizational registration plates by the Administration  
 13 relating to the management of the population of dogs and cats.

14 ~~BY adding to~~  
 15 ~~Article—Transportation~~  
 16 ~~Section 13-618.1~~  
 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 ~~13-618.1.~~

23 ~~(A) THE ADMINISTRATION SHALL ISSUE SPECIAL COMMEMORATIVE~~  
 24 ~~ORIGINAL OR SUBSTITUTE REGISTRATION PLATES TO:~~

25 ~~(1) ENHANCE PUBLIC AWARENESS OF THE STATE'S COMMITMENT TO~~  
 26 ~~MANAGE THE POPULATION OF DOGS AND CATS THROUGH STERILIZATION; AND~~

27 ~~(2) SUBSIDIZE THE EFFORTS OF ENTITIES THAT HUMANELY STERILIZE~~  
 28 ~~DOGS AND CATS.~~

29 ~~(B) THE OWNER OF A VEHICLE, OR A LESSEE OF THE VEHICLE UNDER A~~  
 30 ~~LEASE NOT INTENDED AS SECURITY, OR A DIRECTOR, OFFICER, EMPLOYEE, OR~~  
 31 ~~PARTNER OF A BUSINESS ENTITY THAT OWNS THE VEHICLE CONSIDERED ELIGIBLE~~  
 32 ~~BY THE ADMINISTRATION MAY APPLY TO THE ADMINISTRATION FOR THE~~  
 33 ~~ASSIGNMENT OF A COMMEMORATIVE REGISTRATION PLATE UNDER THIS SECTION IF~~  
 34 ~~THE VEHICLE IS INCLUDED IN ONE OF THE FOLLOWING CLASSES:~~

35 ~~(1) A CLASS A (PASSENGER) VEHICLE;~~

36 ~~(2) A CLASS B (FOR HIRE) VEHICLE;~~

37 ~~(3) A CLASS E (TRUCK) VEHICLE WITH A MANUFACTURER'S RATED~~  
 38 ~~CAPACITY OF 1 TON OR LESS;~~

1           (4)     A CLASS G (TRAILER) VEHICLE; OR

2           (5)     A CLASS M (MULTIPURPOSE) VEHICLE.

3       (C)   (1)     ~~IN ADDITION TO THE ANNUAL REGISTRATION FEE OTHERWISE~~  
4 ~~REQUIRED UNDER THIS TITLE, AN OWNER OF A VEHICLE ASSIGNED A~~  
5 ~~COMMEMORATIVE REGISTRATION PLATE UNDER THIS SECTION SHALL PAY THE FEE~~  
6 ~~SET BY THE ADMINISTRATION WHEN THE NEW REGISTRATION PLATES ARE ISSUED~~  
7 ~~TO THE VEHICLE UNDER THIS SECTION.~~

8           (2)   (1)     ~~THE ADMINISTRATION SHALL SET THE FEE AT A LEVEL THAT~~  
9 ~~WILL ENABLE THE ADMINISTRATION TO RECOVER ITS COSTS UNDER THIS SECTION.~~

10           (H)    ~~THE ADMINISTRATION SHALL CHARGE A FEE THAT IS~~  
11 ~~SUFFICIENT TO RESULT IN A SURPLUS OF AT LEAST \$12 \$24 AFTER COSTS ARE~~  
12 ~~SUBTRACTED.~~

13           (HI)   ~~THE ADMINISTRATION SHALL RETAIN A PORTION OF THE FEE~~  
14 ~~THAT IS SUFFICIENT TO ALLOW THE ADMINISTRATION TO RECOVER ANY COSTS OF~~  
15 ~~ISSUING AND DISTRIBUTING COMMEMORATIVE PLATES UNDER THIS SECTION.~~

16           (IV)   ~~ANY SURPLUS MONEYS REMAINING AFTER THE~~  
17 ~~ADMINISTRATION HAS RECOVERED THE COSTS OF ISSUING A COMMEMORATIVE~~  
18 ~~PLATE UNDER THIS SECTION MAY NOT BE RETAINED BY OR TRANSFERRED TO ANY~~  
19 ~~AGENCY OF THE STATE FOR ANY PURPOSE.~~

20           (V)    ~~NOTWITHSTANDING SUBPARAGRAPH (IV) OF THIS PARAGRAPH,~~  
21 ~~THE SURPLUS MONEYS MAY BE RETAINED FOR THE PURPOSE DESCRIBED IN~~  
22 ~~PARAGRAPH (3) OF THIS SUBSECTION.~~

23           (3)     ~~THE SURPLUS MONEYS SHALL BE DISBURSED BY THE~~  
24 ~~ADMINISTRATION TO EACH COUNTY MONTHLY IN A PROPORTIONATE SHARE EQUAL~~  
25 ~~TO THE PERCENTAGE OF THE TOTAL NUMBER OF REGISTRATION PLATES ISSUED~~  
26 ~~UNDER THIS SECTION THAT ARE ISSUED TO RESIDENTS OF THE RESPECTIVE~~  
27 ~~COUNTY.~~

28           (4)     ~~EACH COUNTY RECEIVING FUNDS UNDER THIS SECTION SHALL:~~

29           (I)     ~~DISTRIBUTE THE ENTIRETY OF THE FUNDS PROMPTLY TO~~  
30 ~~ENTITIES THAT HUMANELY STERILIZE DOGS AND CATS WITHIN THAT COUNTY; OR~~

31           (II)    ~~RETURN THE ENTIRETY OF THE FUNDS PROMPTLY TO THE~~  
32 ~~ADMINISTRATION.~~

33           (5)     ~~FUNDS RECEIVED BY A COUNTY UNDER THIS SECTION SHALL BE~~  
34 ~~APPLIED IN ADDITION TO AND NOT IN SUBSTITUTION OF EXISTING FUNDING BY THE~~  
35 ~~COUNTY OF ENTITIES THAT HUMANELY STERILIZE DOGS AND CATS.~~

1           (6)     ~~ANY FUNDS RETURNED TO THE ADMINISTRATION SHALL BE~~  
2 ~~APPORTIONED AMONG THOSE COUNTIES RECEIVING FUNDS IN EQUAL~~  
3 ~~PROPORTIONS.~~

4           (7)     ~~EACH COUNTY SHALL DECIDE WHICH ENTITIES WILL RECEIVE~~  
5 ~~FUNDS DISBURSED UNDER THIS SECTION.~~

6           (8)     ~~NO PORTION OF THE FEE MAY BE CREDITED TO THE GASOLINE AND~~  
7 ~~MOTOR VEHICLE REVENUE ACCOUNT FOR DISTRIBUTION UNDER § 8-403 OR § 8-404~~  
8 ~~OF THE TRANSPORTATION ARTICLE.~~

9     (D)     ~~THE ADMINISTRATION SHALL ADOPT REGULATIONS NOT INCONSISTENT~~  
10 ~~WITH THE MARYLAND VEHICLE LAW TO GOVERN THE ISSUANCE OF SPECIAL~~  
11 ~~REGISTRATION PLATES UNDER THIS SECTION.~~

12     (E)     ~~THE ADDITIONAL FEE TO THE ANNUAL REGISTRATION FEE REQUIRED BY~~  
13 ~~THIS SECTION IS NOT REQUIRED FOR SPECIAL REGISTRATION OF A VEHICLE THAT IS~~  
14 ~~EXEMPT UNDER § 13-903 OF THIS TITLE, OR A VEHICLE WITH A SPECIAL~~  
15 ~~REGISTRATION PLATE RECOGNIZING:~~

16           (1)     ~~THE MARYLAND NATIONAL GUARD; OR~~

17           (2)     ~~A VOLUNTEER FIRE DEPARTMENT, VOLUNTEER RESCUE SQUAD, OR~~  
18 ~~VOLUNTEER AMBULANCE COMPANY IN THIS STATE.~~

19     (F)     (1)     ~~A SPECIAL REGISTRATION NUMBER AS SPECIFIED BY THE~~  
20 ~~ADMINISTRATION AND ASSIGNED UNDER THIS SECTION MAY CONSIST OF:~~

21           (1)     ~~ANY COMBINATION OF:~~

22                   1.     ~~LETTERS; AND~~

23                   2.     ~~NUMERALS; AND~~

24           (H)     ~~THE DESIGN SELECTED BY THE COMMITTEE ESTABLISHED~~  
25 ~~UNDER PARAGRAPH (2) OF THIS SUBSECTION.~~

26           (2)     ~~THE GOVERNOR SHALL APPOINT A COMMITTEE OF FIVE~~  
27 ~~INDIVIDUALS FROM A LIST OF RECOMMENDATIONS SUBMITTED BY HUMANE~~  
28 ~~ORGANIZATIONS IN THE STATE TO DEVELOP, ORGANIZE, AND IMPLEMENT A~~  
29 ~~STATEWIDE CONTEST TO DESIGN THE COMMEMORATIVE PLATES TO BE ISSUED~~  
30 ~~UNDER THIS SECTION.~~

31           (3)     ~~A SPECIAL REGISTRATION NUMBER OR DESIGN ASSIGNED UNDER~~  
32 ~~THIS SECTION SHALL BE DISPLAYED ON THE REGISTRATION PLATES FOR THE~~  
33 ~~VEHICLE.~~

34     (a)     The Governor shall appoint a committee to design an emblem or logo for  
35 display on organizational license plates issued under § 13-619 of the Transportation

1 Article for use by animal humane societies or similar organizations throughout the

2 State to:

3 (1) enhance public awareness of the State's commitment to manage the  
4 population of dogs and cats through sterilization; and

5 (2) help subsidize the efforts of the organizations to humanely sterilize  
6 dogs and cats.

7 (b) The committee shall consist of:

8 (1) five members representing animal humane societies or similar  
9 organizations from around the State; and

10 (2) the Motor Vehicle Administrator or the Administrator's designee.

11 (c) (1) In designing an emblem or logo under this section, the committee may  
12 solicit suggestions from animal humane societies or similar organizations throughout  
13 the State.

14 (2) The final design of an emblem or logo is subject to the approval of the  
15 Motor Vehicle Administration.

16 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
17 General Assembly that, following adoption of an emblem or logo under Section 1 of this  
18 Act, any animal humane society or similar organization may apply to the Motor  
19 Vehicle Administration under § 13-619 of the Transportation Article and regulations  
20 of the Motor Vehicle Administration for an organizational license plate, using the  
21 emblem or logo adopted under Section 1 of this Act in combination with the name of  
22 the organization or an appropriate slogan approved by the Administration that relates  
23 to the issue of dog and cat population management. An animal humane society or  
24 similar organization that obtains an organizational license plate using the emblem or  
25 logo adopted under Section 1 of this Act may collect a fee set by the organization from  
26 any person seeking an organizational registration plate through the organization. The  
27 fee is intended to be for the purpose of humanely sterilizing dogs and cats and is in  
28 addition to any fee collected by the Motor Vehicle Administration under § 13-619 of the  
29 Transportation Article. The fee is to be collected directly by the organization and not  
30 the Motor Vehicle Administration.

31 SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take  
32 effect October 1, 1998. ~~§ Section 1 of this Act shall remain effective for a period of 2~~  
33 ~~years 9 months and, at the end of September 30, 2000~~ June 30, 1999, with no further  
34 action required by the General Assembly, Section 1 of this Act shall be abrogated and  
35 of no further force and effect.

