

SENATE BILL 88

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R4
SB 488/97 - JPR

1998 Regular Session
8r0596

By: **Senators Dyson, Colburn, Collins, Hollinger, Munson, Ruben, Stone,
and Teitelbaum**

Introduced and read first time: January 16, 1998

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Registration - Animal Friendly Commemorative Plates**

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

20 BY adding to
21 Article - Transportation
22 Section 13-618.1
23 Annotated Code of Maryland
24 (1992 Replacement Volume and 1997 Supplement)

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

1

Article - Transportation

2 13-618.1.

3 (A) THE ADMINISTRATION SHALL ISSUE SPECIAL COMMEMORATIVE
4 ORIGINAL OR SUBSTITUTE REGISTRATION PLATES TO:

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

7 (2) SUBSIDIZE THE EFFORTS OF ENTITIES THAT HUMANELY STERILIZE
8 DOGS AND CATS.

9 (B) THE OWNER OF A VEHICLE, OR A LESSEE OF THE VEHICLE UNDER A
10 LEASE NOT INTENDED AS SECURITY, OR A DIRECTOR, OFFICER, EMPLOYEE, OR
11 PARTNER OF A BUSINESS ENTITY THAT OWNS THE VEHICLE CONSIDERED ELIGIBLE
12 BY THE ADMINISTRATION MAY APPLY TO THE ADMINISTRATION FOR THE
13 ASSIGNMENT OF A COMMEMORATIVE REGISTRATION PLATE UNDER THIS SECTION IF
14 THE VEHICLE IS INCLUDED IN ONE OF THE FOLLOWING CLASSES:

15 (1) A CLASS A (PASSENGER) VEHICLE;

16 (2) A CLASS B (FOR HIRE) VEHICLE;

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

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

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

21 (C) (1) IN ADDITION TO THE ANNUAL REGISTRATION FEE OTHERWISE
22 REQUIRED UNDER THIS TITLE, AN OWNER OF A VEHICLE ASSIGNED A
23 COMMEMORATIVE REGISTRATION PLATE UNDER THIS SECTION SHALL PAY THE FEE
24 SET BY THE ADMINISTRATION WHEN THE NEW REGISTRATION PLATES ARE ISSUED
25 TO THE VEHICLE UNDER THIS SECTION.

26 (2) (I) THE ADMINISTRATION SHALL SET THE FEE AT A LEVEL THAT
27 WILL ENABLE THE ADMINISTRATION TO RECOVER ITS COSTS UNDER THIS SECTION.

28 (II) THE ADMINISTRATION SHALL CHARGE A FEE THAT IS
29 SUFFICIENT TO RESULT IN A SURPLUS OF AT LEAST \$12 AFTER COSTS ARE
30 SUBTRACTED.

31 (III) THE ADMINISTRATION SHALL RETAIN A PORTION OF THE FEE
32 THAT IS SUFFICIENT TO ALLOW THE ADMINISTRATION TO RECOVER ANY COSTS OF
33 ISSUING AND DISTRIBUTING COMMEMORATIVE PLATES UNDER THIS SECTION.

34 (IV) ANY SURPLUS MONEYS REMAINING AFTER THE
35 ADMINISTRATION HAS RECOVERED THE COSTS OF ISSUING A COMMEMORATIVE

1 PLATE UNDER THIS SECTION MAY NOT BE RETAINED BY OR TRANSFERRED TO ANY
2 AGENCY OF THE STATE FOR ANY PURPOSE.

3 (V) NOTWITHSTANDING SUBPARAGRAPH (IV) OF THIS PARAGRAPH,
4 THE SURPLUS MONEYS MAY BE RETAINED FOR THE PURPOSE DESCRIBED IN
5 PARAGRAPH (3) OF THIS SUBSECTION.

6 (3) THE SURPLUS MONEYS SHALL BE DISBURSED BY THE
7 ADMINISTRATION TO EACH COUNTY MONTHLY IN A PROPORTIONATE SHARE EQUAL
8 TO THE PERCENTAGE OF THE TOTAL NUMBER OF REGISTRATION PLATES ISSUED
9 UNDER THIS SECTION THAT ARE ISSUED TO RESIDENTS OF THE RESPECTIVE
10 COUNTY.

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

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

14 (II) RETURN THE ENTIRETY OF THE FUNDS PROMPTLY TO THE
15 ADMINISTRATION.

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

19 (6) ANY FUNDS RETURNED TO THE ADMINISTRATION SHALL BE
20 APPORTIONED AMONG THOSE COUNTIES RECEIVING FUNDS IN EQUAL
21 PROPORTIONS.

22 (7) EACH COUNTY SHALL DECIDE WHICH ENTITIES WILL RECEIVE
23 FUNDS DISBURSED UNDER THIS SECTION.

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

27 (D) THE ADMINISTRATION SHALL ADOPT REGULATIONS NOT INCONSISTENT
28 WITH THE MARYLAND VEHICLE LAW TO GOVERN THE ISSUANCE OF SPECIAL
29 REGISTRATION PLATES UNDER THIS SECTION.

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

34 (1) THE MARYLAND NATIONAL GUARD; OR

35 (2) A VOLUNTEER FIRE DEPARTMENT, VOLUNTEER RESCUE SQUAD, OR
36 VOLUNTEER AMBULANCE COMPANY IN THIS STATE.

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

3 (I) ANY COMBINATION OF:

4 1. LETTERS; AND

5 2. NUMERALS; AND

6 (II) THE DESIGN SELECTED BY THE COMMITTEE ESTABLISHED
7 UNDER PARAGRAPH (2) OF THIS SUBSECTION.

8 (2) THE GOVERNOR SHALL APPOINT A COMMITTEE OF FIVE
9 INDIVIDUALS FROM A LIST OF RECOMMENDATIONS SUBMITTED BY HUMANE
10 ORGANIZATIONS IN THE STATE TO DEVELOP, ORGANIZE, AND IMPLEMENT A
11 STATEWIDE CONTEST TO DESIGN THE COMMEMORATIVE PLATES TO BE ISSUED
12 UNDER THIS SECTION.

13 (3) A SPECIAL REGISTRATION NUMBER OR DESIGN ASSIGNED UNDER
14 THIS SECTION SHALL BE DISPLAYED ON THE REGISTRATION PLATES FOR THE
15 VEHICLE.

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