

SENATE BILL 88

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SB 488/97 - JPR

1998 Regular Session
8lr0596

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

Introduced and read first time: January 16, 1998
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: February 25, 1998

CHAPTER _____

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 termination of this Act; and generally
18 relating to the issuance of commemorative registration plates by the
19 Administration.
20

21 BY adding to
22 Article - Transportation
23 Section 13-618.1
24 Annotated Code of Maryland
25 (1992 Replacement Volume and 1997 Supplement)

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

3 **Article - Transportation**

4 13-618.1.

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

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

9 (2) SUBSIDIZE THE EFFORTS OF ENTITIES THAT HUMANELY STERILIZE
10 DOGS AND CATS.

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

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

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

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

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

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

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

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

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

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

1 (IV) ANY SURPLUS MONEYS REMAINING AFTER THE
2 ADMINISTRATION HAS RECOVERED THE COSTS OF ISSUING A COMMEMORATIVE
3 PLATE UNDER THIS SECTION MAY NOT BE RETAINED BY OR TRANSFERRED TO ANY
4 AGENCY OF THE STATE FOR ANY PURPOSE.

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

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

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

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

16 (II) RETURN THE ENTIRETY OF THE FUNDS PROMPTLY TO THE
17 ADMINISTRATION.

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

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

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

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

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

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

36 (1) THE MARYLAND NATIONAL GUARD; OR

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

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

5 (I) ANY COMBINATION OF:

6 1. LETTERS; AND

7 2. NUMERALS; AND

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

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

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1998. It shall remain effective for a period of 2 years and, at the end of
20 September 30, 2000, with no further action required by the General Assembly, this
21 Act shall be abrogated and of no further force and effect.