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By: **Delegate Menes**  
Introduced and read first time: March 1, 1999  
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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 27, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Motor Vehicles - Transfers Between Family Members - Exemption from**  
3 **Excise Tax and ~~Vehicle Inspection Requirements~~**

4 FOR the purpose of exempting from the vehicle excise tax a vehicle transferred to a  
5 an aunt, uncle, niece, or nephew of the transferor under certain circumstances;  
6 ~~exempting from a requirement that a used vehicle be inspected on transfer, a~~  
7 ~~used vehicle transferred between certain family members; making a technical~~  
8 ~~change; and generally relating to exemptions from the excise tax and certain~~  
9 ~~vehicle inspection requirements.~~

10 BY repealing and reenacting, with amendments,  
11 Article - Transportation  
12 Section 13-810(c)(1) ~~and 23-106(a)~~  
13 Annotated Code of Maryland  
14 (1998 Replacement Volume and 1998 Supplement)

15 ~~BY repealing and reenacting, without amendments,~~  
16 ~~Article - Transportation~~  
17 ~~Section 23-106(b)~~  
18 ~~Annotated Code of Maryland~~  
19 ~~(1998 Replacement Volume and 1998 Supplement)~~

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

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**Article - Transportation**

2 13-810.

3 (c) On transfer of a vehicle titled in this State and issuance of a subsequent  
4 certificate of title, the vehicle is exempt from the excise tax imposed by this part, if it  
5 is:

6 (1) A vehicle transferred to a spouse, son, daughter, grandchild, parent,  
7 sister, brother, AUNT, UNCLE, NIECE, NEPHEW, grandparent, father-in-law,  
8 mother-in-law, son-in-law, or daughter-in-law of the transferor, and no money or  
9 other valuable consideration is involved in the transfer;

10 ~~23-106.~~11 (a) ~~This section does not apply to:~~

12 (1) ~~Any transfer of a used vehicle to any licensed dealer or to any foreign~~  
13 ~~dealer;~~

14 (2) ~~Any transfer between[:~~15 (i) ~~Spouses;~~16 (ii) ~~A parent and child; or~~

17 (iii) ~~Co-owners] CO-OWNERS of the vehicle to be transferred when~~  
18 ~~a co-owner's name is being removed from the title;~~

19 (3) ~~ANY TRANSFER OF A USED VEHICLE TO A SPOUSE, SON, DAUGHTER,~~  
20 ~~GRANDCHILD, PARENT, SISTER, BROTHER, NIECE, NEPHEW, GRANDPARENT,~~  
21 ~~FATHER IN LAW, MOTHER IN LAW, SON IN LAW, OR DAUGHTER IN LAW OF THE~~  
22 ~~TRANSFEROR, WHEN NO MONEY OR OTHER VALUABLE CONSIDERATION IS INVOLVED~~  
23 ~~IN THE TRANSFER;~~

24 [(3)] (4) ~~Any transfer of a used vehicle that is not to be both titled and~~  
25 ~~registered in this State;~~

26 [(4)] (5) ~~Any transfer of a used vehicle among any agencies of the State;~~  
27 ~~or~~

28 [(5)] (6) ~~Any transfer of a used vehicle as described in § 13-503.2 of this~~  
29 ~~article.~~

30 (b) (1) ~~Except as provided in paragraph (4) of this subsection, if any licensed~~  
31 ~~dealer that also is an inspection station transfers any used vehicle, it shall:~~

32 (i) ~~Prepare and attach an inspection certificate to a window of the~~  
33 ~~vehicle; or~~

1                   (ii)     Have an inspection certificate prepared and attached to a  
2 window of the vehicle by another inspection station.

3                   (2)     Except as provided in paragraphs (4) and (5) of this subsection, if any  
4 other person transfers a used vehicle, the person shall obtain an inspection certificate  
5 from an inspection station. The inspection certificate shall be issued without charge  
6 and attached to a window of the vehicle.

7                   (3)     If a used vehicle is transferred other than by voluntary transfer or is  
8 transferred by a political subdivision of the State after that subdivision obtains the  
9 vehicle by proceedings pursuant to Article 27, § 297 of the Code, the transferee shall  
10 obtain the inspection certificate from an authorized inspection station. The inspection  
11 certificate shall be issued without charge and attached to a window of the vehicle.

12                  (4)     In the case of a transfer of any used vehicle registered, or to be  
13 registered, as a Class E (truck) exceeding three-fourths ton manufacturer's rated  
14 capacity, Class F (tractor), Class G (freight trailer or semitrailer), or Class G (dump  
15 service semitrailer) vehicle, the transferor or the transferee of the vehicle may obtain  
16 the required inspection certificate.

17                  (5)     In the case of a transfer of any used vehicle registered or to be  
18 registered, that is sold for dismantling or rebuilding purposes, the transferor or the  
19 transferee of the vehicle may obtain the required inspection certificate.

20                  (6)     On applying for a certificate of title of the vehicle, the transferee shall  
21 remove the inspection certificate from the vehicle and present it to the  
22 Administration.

23     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 1999.