

SENATE BILL 45

Unofficial Copy  
R4

1999 Regular Session  
(9r0127)

**ENROLLED BILL**

-- *Judicial Proceedings/Commerce and Government Matters* --

Introduced by **Chairman, Judicial Proceedings Committee (Departmental -  
Transportation)**

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 - Businesses and Occupations - Fines**

3 FOR the purpose of authorizing the Motor Vehicle Administration, under certain  
4 circumstances, to assess fines up to a certain amount on certain persons  
5 licensed by the Motor Vehicle Administration to conduct certain businesses or  
6 act in certain capacities; ~~authorizing the Administration to conciliate~~  
7 conciliation of certain matters by conference; and requiring the Administration  
8 to adopt certain regulations.

9 BY adding to  
10 Article - Transportation  
11 Section 15-110.1  
12 Annotated Code of Maryland  
13 (1998 Replacement Volume and 1998 Supplement)

14 BY repealing and reenacting, with amendments,

1 Article - Transportation  
 2 Section ~~15-412~~, 15-514, 15-607, 15-710, and 15-807  
 3 Annotated Code of Maryland  
 4 (1998 Replacement Volume and 1998 Supplement)

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

7 **Article - Transportation**

8 15-110.1.

9 (A) IF THE ADMINISTRATION DETERMINES THAT THERE ARE REASONABLE  
 10 GROUND TO SUSPEND, REVOKE, OR REFUSE TO RENEW A LICENSE UNDER THIS  
 11 TITLE, ~~IF THE ADMINISTRATION AND THE LICENSEE MAY AGREE TO CONCILIATE~~  
 12 THE MATTER BY CONFERENCE.

13 (B) THE ADMINISTRATION SHALL ADOPT REGULATIONS ESTABLISHING  
 14 CRITERIA FOR THE ASSESSMENT OF FINES UNDER THIS TITLE.

15 ~~15-412.~~

16 (A) ~~In addition to the other grounds specified in Subtitle 1 of this title for~~  
 17 ~~refusal, suspension, or revocation of a license, the Administration may refuse to grant~~  
 18 ~~a license under this subtitle to any person and may suspend, revoke, or refuse to~~  
 19 ~~renew the license of any person if it finds that:~~

20 (1) ~~The person has been convicted by final judgment in any court of a~~  
 21 ~~crime of moral turpitude; or~~

22 (2) ~~The vehicle sales transactions of the person have been marked by a~~  
 23 ~~practice of failure to perform contracts or by fraud or bad faith.~~

24 (B) ~~AS TO ANY PERSON LICENSED UNDER THIS SUBTITLE, INSTEAD OF OR IN~~  
 25 ~~ADDITION TO REVOCATION, SUSPENSION, OR REFUSAL TO RENEW A LICENSE UNDER~~  
 26 ~~THIS SECTION, THE ADMINISTRATION MAY ORDER THE LICENSEE TO PAY A FINE NOT~~  
 27 ~~EXCEEDING \$1,000 FOR EACH VIOLATION OF THIS SUBTITLE.~~

28 15-514.

29 (A) In addition to the other grounds specified in Subtitle 1 of this title for  
 30 refusal, suspension, or revocation of a license, the Administration may refuse to grant  
 31 a license under this subtitle to any person and may suspend, revoke, or refuse to  
 32 renew the license of any person if it finds that the person has violated any applicable  
 33 rule or regulation of the Department of Health and Mental Hygiene.

34 (B) AS TO ANY PERSON LICENSED UNDER THIS SUBTITLE, INSTEAD OF OR IN  
 35 ADDITION TO REVOCATION, SUSPENSION, OR REFUSAL TO RENEW A LICENSE UNDER

1 THIS SECTION, THE ADMINISTRATION MAY ORDER THE LICENSEE TO PAY A FINE NOT  
2 EXCEEDING \$1,000 FOR EACH VIOLATION OF THIS SUBTITLE.

3 15-607.

4 (A) In addition to the other grounds specified in Subtitle 1 of this title for  
5 refusal, suspension, or revocation of a license, the Administration may refuse to grant  
6 a license under this subtitle to any person and may suspend, revoke, or refuse to  
7 renew the license of any person if it finds that:

8 (1) The person, his management personnel, or any other person who has  
9 a direct or indirect financial interest in the title service agency is untrustworthy,  
10 lacks competence, or has been convicted by final judgment in any court of a crime of  
11 moral turpitude; or

12 (2) The title service agency transactions of the person with the  
13 Administration have been marked by fraud or bad faith.

14 (B) AS TO ANY PERSON LICENSED UNDER THIS SUBTITLE, INSTEAD OF OR IN  
15 ADDITION TO REVOCATION, SUSPENSION, OR REFUSAL TO RENEW A LICENSE UNDER  
16 THIS SECTION, THE ADMINISTRATION MAY ORDER THE LICENSEE TO PAY A FINE NOT  
17 EXCEEDING \$1,000 FOR EACH VIOLATION OF THIS SUBTITLE.

18 15-710.

19 (a) In addition to the other grounds specified in Subtitle 1 of this title for  
20 refusal, suspension, or revocation of a license, the Administration may refuse to grant  
21 a license under this subtitle to any person and may suspend, revoke, or refuse to  
22 renew the license of any person if it finds that:

23 (1) The person has made a material misrepresentation or concealed a  
24 material fact in obtaining a license;

25 (2) The person is not the true owner of the drivers' school;

26 (3) The person or any partner, officer, director, or stockholder of the  
27 person, or any other person who has a direct or indirect interest in the drivers' school:

28 (i) Was the holder of a drivers' school license that was suspended or  
29 revoked by the Administration; or

30 (ii) Was an officer, director, stockholder, or partner in a drivers'  
31 school the license of which was suspended or revoked by the Administration;

32 (4) The person or any partner, officer, agent, or employee of the person  
33 has committed any fraud in connection with the business conducted under the  
34 license, including:

35 (i) Inducing any individual to obtain a driver's license by illegal or  
36 improper means;

1 (ii) Representing or implying to any individual by word or deed that  
2 a driver's license or any other license, registration, or other document or service  
3 granted by the Administration may be obtained by any means other than those  
4 specified by law; or

5 (iii) Furnishing or obtaining by illegal or improper means any  
6 license, registration, or other document or service granted by the Administration, or  
7 requesting or accepting money for that purpose; or

8 (5) As to any drivers' school that is a participant in the Maryland driver  
9 education program, the person has failed to comply with any of the provisions of or  
10 any of the rules and regulations adopted under the Maryland Driver Education  
11 Program Act.

12 (b) Notwithstanding the renewal of any license, the Administration may  
13 revoke or suspend that license for any violation or other cause, as permitted by this  
14 title, that occurred during the 2 license years immediately preceding the renewal.

15 (C) AS TO ANY PERSON LICENSED UNDER THIS SUBTITLE, INSTEAD OF OR IN  
16 ADDITION TO REVOCATION, SUSPENSION, OR REFUSAL TO RENEW A LICENSE UNDER  
17 THIS SECTION, THE ADMINISTRATION MAY ORDER THE LICENSEE TO PAY A FINE NOT  
18 EXCEEDING \$1,000 FOR EACH VIOLATION OF THIS SUBTITLE.

19 15-807.

20 (A) In addition to the other grounds specified in Subtitle 1 of this title for  
21 refusal, suspension, or revocation of a license, the Administration may refuse to grant  
22 a license under this subtitle to any person and may suspend, revoke, or refuse to  
23 renew the license of any person if it finds that the person:

24 (1) Has been convicted of a crime of moral turpitude; or

25 (2) As to any driving instructor that is a participant in the Maryland  
26 driver education program, the person has failed to comply with any of the provisions  
27 of or any of the rules and regulations adopted under the Maryland Driver Education  
28 Program Act.

29 (B) AS TO ANY PERSON LICENSED UNDER THIS SUBTITLE, INSTEAD OF OR IN  
30 ADDITION TO REVOCATION, SUSPENSION, OR REFUSAL TO RENEW A LICENSE UNDER  
31 THIS SECTION, THE ADMINISTRATION MAY ORDER THE LICENSEE TO PAY A FINE NOT  
32 EXCEEDING \$1,000 FOR EACH VIOLATION OF THIS SUBTITLE.

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

