

SENATE BILL 45

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R4

1999 Regular Session
9lr0127

(PRE-FILED)

By: **Chairman, Judicial Proceedings Committee (Departmental -
Transportation)**

Requested: July 27, 1998

Introduced and read first time: January 13, 1999

Assigned to: Judicial Proceedings

A BILL ENTITLED

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.

7 BY repealing and reenacting, with amendments,
8 Article - Transportation
9 Section 15-412, 15-514, 15-607, 15-710, and 15-807
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 1998 Supplement)

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

14 **Article - Transportation**

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

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 15-514.

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 the person has violated any applicable
8 rule or regulation of the Department of Health and Mental Hygiene.

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

13 15-607.

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

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

22 (2) The title service agency transactions of the person with the
23 Administration have been marked 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 15-710.

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:

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

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

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

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

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

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

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

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

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

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

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

24 (C) 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 15-807.

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:

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

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

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

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