
By: **Delegate Doory**
Introduced and read first time: February 9, 2000
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 7, 2000

CHAPTER _____

1 AN ACT concerning

2 **Crimes - Possession of Vehicles Without Vehicle Identification Numbers -**
3 **Exceptions**

4 FOR the purpose of authorizing an insurance company or its agent to buy, receive,
5 and possess a motor vehicle knowing that the vehicle identification number has
6 been removed from the vehicle under certain circumstances; authorizing an
7 insurance company or its agent to sell or dispose of a motor vehicle knowing that
8 the vehicle identification number has been removed under certain
9 circumstances; restricting transfers to certain licensed entities; and generally
10 relating to vehicles without vehicle identification numbers.

11 BY repealing and reenacting, with amendments,
12 Article 27 - Crimes and Punishments
13 Section 389(b)
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 1999 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article - Transportation
18 Section 13-106.1
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 1999 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - Transportation
23 Section 14-107

1 Annotated Code of Maryland
2 (1999 Replacement Volume and 1999 Supplement)

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

5 **Article 27 - Crimes and Punishments**

6 389.

7 (b) [It] EXCEPT AS PROVIDED IN § 14-107(M) OF THE TRANSPORTATION
8 ARTICLE, IT shall be unlawful for any person knowingly to retain in his possession or
9 to offer for sale any manufactured article or product from which the manufacturer's
10 serial number has been so removed, defaced or obliterated.

11 **Article - Transportation**

12 13-106.1.

13 If the vehicle identification number on a vehicle is destroyed or obliterated, the
14 Administration may assign a distinguishing number to the vehicle and issue to its
15 owner a stamped or special plate bearing the distinguishing number. The plate shall
16 be affixed to the vehicle in the position that the Administration determines.

17 14-107.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) "Identification number" includes any vehicle identification number,
20 serial number, transmission number, federal vehicle certification label, engine
21 number, or other distinguishing number or mark placed on a vehicle or engine:

22 (i) By its manufacturer;

23 (ii) By authority of the Administration; or

24 (iii) In accordance with the laws of the federal government or
25 another state or country.

26 (3) "Remove" includes deface, cover, or destroy.

27 (4) "Falsify" includes alter, counterfeit, duplicate, or forge.

28 (b) A person may not willfully remove any identification number of a vehicle.

29 (c) A person may not willfully falsify any identification number of a vehicle.

30 (d) A person may not willfully remove any identification number of an engine
31 for a vehicle.

1 (e) A person may not willfully falsify any identification number of an engine
2 for a vehicle.

3 (f) [A] EXCEPT AS PROVIDED IN SUBSECTION (M) OF THIS SECTION, A person
4 may not buy, receive, possess, sell, or dispose of a vehicle, knowing that an
5 identification number of the vehicle has been removed.

6 (g) A person may not buy, receive, possess, sell, or dispose of a vehicle,
7 knowing that an identification number of the vehicle has been falsified.

8 (h) [A] EXCEPT AS PROVIDED IN SUBSECTION (M) OF THIS SECTION, A person
9 may not buy, receive, possess, sell, or dispose of an engine for a vehicle, knowing that
10 an identification number of the engine has been removed.

11 (i) A person may not buy, receive, possess, sell, or dispose of an engine for a
12 vehicle, knowing that an identification number of the engine has been falsified.

13 (j) A person may not, with intent to conceal or misrepresent the identity of a
14 vehicle or its owner remove a registration card or registration plate from the vehicle.

15 (k) A person may not, with intent to conceal or misrepresent the identity of a
16 vehicle or the owner of the vehicle, attach to the vehicle a registration plate not
17 authorized by law for use on it.

18 (l) An identification number may be:

19 (1) Placed on a vehicle or engine by its manufacturer in the regular
20 course of business; or

21 (2) Placed or restored on a vehicle or engine by authority of the
22 Administration.

23 (M) (1) AN INSURANCE COMPANY OR ITS AGENT MAY BUY, RECEIVE, AND
24 POSSESS A MOTOR VEHICLE KNOWING THAT THE IDENTIFICATION NUMBER OF THE
25 VEHICLE HAS BEEN REMOVED, IF THE VEHICLE ~~HAS BEEN~~ IS THE SUBJECT OF A
26 TOTAL LOSS SETTLEMENT BY ~~AN~~ THE INSURANCE COMPANY.

27 (2) AN INSURANCE COMPANY OR ITS AGENT MAY SELL OR DISPOSE OF A
28 MOTOR VEHICLE KNOWING THAT THE IDENTIFICATION NUMBER OF THE VEHICLE
29 HAS BEEN REMOVED, IF:

30 (I) THE VEHICLE IS THE SUBJECT OF A TOTAL LOSS SETTLEMENT
31 BY ~~AN~~ THE INSURANCE COMPANY; ~~AND~~

32 (II) THE ADMINISTRATION WILL NOT ISSUE A DISTINGUISHING
33 NUMBER UNDER § 13-106.1 OF THIS ARTICLE;

34 (III) THE INSURANCE COMPANY OR ITS AGENT DETERMINES THAT
35 THE VEHICLE IS NOT REBUILDABLE; AND

1 (IV) THE TRANSFER IS TO A LICENSED AUTOMOTIVE DISMANTLER
2 AND RECYCLER OR LICENSED SCRAP PROCESSOR.

3 (3) AN INSURANCE COMPANY OR ITS AGENT MAY SELL OR DISPOSE OF A
4 MOTOR VEHICLE KNOWING THAT THE IDENTIFICATION NUMBER OF THE VEHICLE
5 HAS BEEN REMOVED, IF:

6 (I) THE VEHICLE IS THE SUBJECT OF A TOTAL LOSS SETTLEMENT
7 BY THE INSURANCE COMPANY;

8 (II) THE ADMINISTRATION WILL NOT ISSUE A DISTINGUISHING
9 NUMBER UNDER § 13-106.1 OF THIS ARTICLE;

10 (III) THE INSURANCE COMPANY OR ITS AGENT DETERMINES THAT
11 THE VEHICLE IS REBUILDABLE;

12 (IV) THE TRANSFER IS TO A LICENSED DEALER, LICENSED
13 AUTOMOTIVE DISMANTLER AND RECYCLER, OR LICENSED SCRAP PROCESSOR; AND

14 (V) THE TRANSFEREE IS ADVISED THAT THE VEHICLE MAY NOT BE
15 OFFERED FOR RESALE TO ANY OTHER PERSON UNTIL AFTER THE VEHICLE HAS
16 BEEN ASSIGNED A DISTINGUISHING NUMBER UNDER § 13-106.1 OF THIS ARTICLE.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2000.