

SENATE BILL 281

Unofficial Copy  
R4

2000 Regular Session  
(0lr2166)

ENROLLED BILL

-- Judicial Proceedings/Commerce and Government Matters --

Introduced by **Senators Baker, Haines, Colburn, Ferguson, Forehand, Green,  
Jimeno, and Mooney Mooney, and Stoltzfus**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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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 - Special ~~Commemorative~~ Registration Plates - Honoring**  
3 **State Agriculture**

4 FOR the purpose of ~~authorizing the Motor Vehicle Administration to issue~~  
5 ~~commemorative license plates of a design approved by the Administration to~~  
6 ~~honor State agriculture; authorizing the Administration to issue two~~  
7 ~~commemorative plates at any time; requiring the Administration, after~~  
8 ~~recovering the costs of issuing special registration plates under this Act, to~~  
9 ~~disburse any surplus moneys to a nonprofit organization that is closely related~~  
10 ~~to State agriculture agricultural education; requiring the Administration to~~  
11 ~~adopt certain regulations before designating a nonprofit organization to receive~~  
12 ~~the surplus moneys; and generally relating to special registration plates.~~  
13 requiring the Motor Vehicle Administration to develop and make available a  
14 specially designed registration plate honoring Maryland agriculture; prescribing  
15 who may apply for and the classes of vehicles eligible for the registration plate;  
16 providing the manner in which fees will be established, collected, and distributed

1 in connection with the registration plate; requiring the Administration to consult  
 2 with the Maryland Agricultural Education Foundation, Inc. on certain matters;  
 3 providing a certain fee exemption applicable to disabled veterans; requiring the  
 4 Administration to adopt certain regulations; declaring the intent of the General  
 5 Assembly; providing for the termination of this Act; and generally relating to the  
 6 issuance of a special registration plate honoring Maryland agriculture and  
 7 benefitting the Maryland Agricultural Education Foundation, Inc.

8 BY repealing and reenacting, with amendments,  
 9 Article - Transportation  
 10 Section ~~13-618~~ 13-903(d)  
 11 Annotated Code of Maryland  
 12 (1999 Replacement Volume and 1999 Supplement)

13 BY adding to  
 14 Article - Transportation  
 15 Section 13-619.2  
 16 Annotated Code of Maryland  
 17 (1999 Replacement Volume and 1999 Supplement)

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

20 **Article - Transportation**

21 ~~13-618.~~

22 ~~(a) The Administration may issue special commemorative original or~~  
 23 ~~substitute registration plates for any geographical, historical, natural resource,~~  
 24 ~~AGRICULTURAL, or environmental commemoration of statewide significance.~~

25 ~~(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended~~  
 26 ~~as security, or a director, officer, employee, or partner of a business entity that owns~~  
 27 ~~the vehicle considered eligible by the Administration may apply to the Administration~~  
 28 ~~for the assignment of a commemorative registration plate under this section if the~~  
 29 ~~vehicle is included in one of the following classes:~~

30 ~~(1) A Class A (passenger) vehicle;~~

31 ~~(2) A Class B (for hire) vehicle;~~

32 ~~(3) A Class E (truck) vehicle with a manufacturer's rated capacity of one~~  
 33 ~~ton or less;~~

34 ~~(4) A Class G (trailer) vehicle; or~~

35 ~~(5) A Class M (multipurpose) vehicle.~~

1       (e)     (1)     An original or substitute commemorative plate may only be issued  
2 under this section for a fixed period of 2 consecutive years after its initial issuance.

3               (2)     The Administration may only issue 1 TWO commemorative plate  
4 PLATES under this section at any one time.

5       (d)     (1)     In addition to the annual registration fee otherwise required under  
6 this title, an owner of a vehicle assigned a commemorative registration plate under  
7 this section shall pay the fee set by the Administration when the new registration  
8 plates are issued to the vehicle under this section.

9               (2)     (i)     The Administration shall set the fee at a level that will enable  
10 the Administration to recover its costs under this section.

11                       (ii)     The Administration may charge a fee that is sufficient to result  
12 in a surplus after costs are subtracted.

13                       (iii)    The Administration shall retain a portion of the fee that is  
14 sufficient to allow the Administration to recover any costs of issuing and distributing  
15 commemorative plates under this section.

16                       (iv)    Any surplus moneys remaining after the Administration has  
17 recovered the costs of issuing a commemorative plate under this section may not be  
18 retained by or transferred to any agency of the State for any purpose.

19                       (v)    Notwithstanding subparagraph (iv) of this paragraph, the  
20 surplus moneys may be retained for the purpose described in paragraph (3) of this  
21 subsection.

22               (3)     The surplus moneys shall be disbursed by the Administration to a  
23 nonprofit organization that is:

24                       (i)     Closely related to the geographical, historical, natural resource,  
25 AGRICULTURAL EDUCATION, or environmental theme which the plate  
26 commemorates; and

27                       (ii)    Designated by the Administration under subsection (e) of this  
28 section.

29               (4)     No portion of the fee may be credited to the Gasoline and Motor  
30 Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of the  
31 Transportation Article.

32       (e)     (1)     The Administration shall adopt regulations not inconsistent with the  
33 Maryland Vehicle Law to govern the issuance of special registration plates under this  
34 section.

35               (2)     Before designating any nonprofit organization to receive any surplus  
36 moneys and before distributing any surplus moneys to any nonprofit organization,

1 the Administration shall adopt regulations specific to each new commemorative plate  
2 detailing:

3 (i) The name and nature of the nonprofit organization receiving  
4 the money;

5 (ii) The relationship of the nonprofit organization to the  
6 geographical, historical, natural resource, AGRICULTURAL EDUCATION, or  
7 environmental theme which the plate commemorates; and

8 (iii) The plan of distribution of the funds.

9 (f) The additional fee to the annual registration fee required by this section is  
10 not required for special registration of a vehicle that is exempt under § 13-903 of this  
11 title, or a vehicle with a special registration plate recognizing:

12 (1) The Maryland National Guard; or

13 (2) A volunteer fire department, volunteer rescue squad, or volunteer  
14 ambulance company in this State.

15 (g) (1) A special registration number as specified by the Administration and  
16 assigned under this section may consist of:

17 (i) Any combination of:

18 1. Letters; and

19 2. Numerals; and

20 (ii) Any design approved by the Administration that adequately  
21 reflects the geographical, historical, natural resource, AGRICULTURAL, or  
22 environmental theme which the plate commemorates.

23 (2) A special registration number or design assigned under this section  
24 shall be displayed on the registration plates for the vehicle.

25 13-619.2.

26 (A) IN CONSULTATION WITH THE MARYLAND AGRICULTURAL EDUCATION  
27 FOUNDATION, INC. THE ADMINISTRATION SHALL DEVELOP AND MAKE AVAILABLE  
28 FOR QUALIFYING VEHICLES A SPECIALLY DESIGNED REGISTRATION PLATE  
29 HONORING MARYLAND AGRICULTURE.

30 (B) THE OWNER OF A VEHICLE, OR A LESSEE OF THE VEHICLE UNDER A  
31 LEASE NOT INTENDED AS SECURITY, OR A DIRECTOR, OFFICER, EMPLOYEE, OR  
32 PARTNER OF A BUSINESS ENTITY THAT OWNS THE VEHICLE CONSIDERED ELIGIBLE  
33 BY THE ADMINISTRATION MAY APPLY TO THE ADMINISTRATION FOR AN ORIGINAL  
34 OR SUBSTITUTE REGISTRATION PLATE UNDER THIS SECTION IF THE VEHICLE IS  
35 INCLUDED IN ONE OF THE FOLLOWING CLASSES:

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

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

3           (3)     A CLASS E (TRUCK) VEHICLE WITH A MANUFACTURER'S RATED  
4 CAPACITY OF ONE TON OR LESS;

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

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

7     (C)     (1)     IN ADDITION TO THE ANNUAL REGISTRATION FEE OTHERWISE  
8 REQUIRED UNDER THIS TITLE, AN OWNER OF A VEHICLE ASSIGNED A  
9 REGISTRATION PLATE UNDER THIS SECTION SHALL PAY:

10           (1)     WHEN INITIALLY ISSUED THE REGISTRATION PLATE, A  
11 ONE-TIME FEE SET BY THE ADMINISTRATION TO RECOVER THE ADMINISTRATION'S  
12 COSTS UNDER THIS SECTION; AND

13           (II)    WHEN INITIALLY ISSUED THE REGISTRATION PLATE, AND  
14 EACH TIME THE REGISTRATION PLATE IS RENEWED, AN ADDITIONAL FEE SET BY  
15 THE ADMINISTRATION TO BENEFIT THE MARYLAND AGRICULTURAL EDUCATION  
16 FOUNDATION, INC.

17           (2)     THE ADDITIONAL FEE COLLECTED UNDER THIS SECTION IS NOT  
18 REQUIRED FOR SPECIAL REGISTRATION OF A VEHICLE THAT IS EXEMPT UNDER §  
19 13-903 OF THIS TITLE.

20           (3)     NO PORTION OF THE FEE COLLECTED UNDER THIS SECTION MAY BE  
21 CREDITED TO THE GASOLINE AND MOTOR VEHICLE REVENUE ACCOUNT FOR  
22 DISTRIBUTION UNDER § 8-403 OR § 8-404 OF THIS ARTICLE.

23     (D)     THE ADMINISTRATION SHALL CONSULT WITH THE MARYLAND  
24 AGRICULTURAL EDUCATION FOUNDATION, INC. ON:

25           (1)     THE DESIGN OF A REGISTRATION PLATE TO BE ISSUED UNDER THIS  
26 SECTION TO HONOR MARYLAND AGRICULTURE;

27           (2)     THE SETTING OF THE FEE TO BE CHARGED UNDER SUBSECTION  
28 (C)(1)(II) OF THIS SECTION AT A LEVEL INTENDED TO ENCOURAGE THE PURCHASE OF  
29 THE REGISTRATION PLATE ISSUED UNDER THIS SECTION WHILE PROVIDING A  
30 CONTINUOUS REVENUE SOURCE TO BENEFIT THE FOUNDATION; AND

31           (3)     A SCHEDULE UNDER WHICH THE ADMINISTRATION WILL TRANSFER  
32 TO THE FOUNDATION REVENUE COLLECTED ON THE FOUNDATION'S BEHALF.

33     (E)     THE ADMINISTRATION SHALL ADOPT REGULATIONS TO GOVERN THE  
34 ISSUANCE OF SPECIAL REGISTRATION PLATES UNDER THIS SECTION.

1 13-903.

2 (d) A disabled veteran whose vehicle is eligible for exemption under subsection  
3 (a)(8) of this section may, if eligible, receive the special registration number and special  
4 registration plates provided under § 13-616, § 13-617, § 13-618, § 13-619, for] §  
5 13-619.1, OR § 13-619.2 of this title without payment of the registration fees specified in  
6 this subtitle.

7 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
8 General Assembly that the Motor Vehicle Administration shall work with the  
9 Maryland Agricultural Education Foundation, Inc. on the development of a special  
10 registration plate described under Section 1 of this Act and make the plate available to  
11 the public at the earliest date practicable, but not later than July 1, 2001.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 ~~October~~ July 1, 2000. It shall remain effective for a period of 6 years and, at the end of  
14 June 30, 2006, with no further action required by the General Assembly, this Act shall  
15 be abrogated and of no further force and effect.