

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 41 (Chairman, Judicial Proceedings Committee)
(Departmental - Transportation)

Judicial Proceedings

Vehicle Law - Abandoned Vehicles - Disposition

This departmental bill allows an abandoned vehicle of any age to be transferred to an automotive dismantler and recycler or scrap processor without a certificate of title after a process to notify the last known owner or after a notice by publication. Further, an automotive dismantler and recycler or scrap processor must require a person who transfers such a vehicle to execute an indemnity agreement.

Fiscal Summary

State Effect: None. The bill codifies the existing practice of the Motor Vehicle Administration (MVA).

Local Effect: None.

Small Business Effect: The Department of Transportation has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: If a vehicle is more than eight years old and has no engine or otherwise is totally inoperable, the law does not require a pre-disposition notification process. Also, current law authorizes, but does not require, a person to obtain an indemnity agreement before transfer to an automotive dismantler and recycler or scrap processor.

Background: On October 15, 1998, a U.S. District Court judge found in the case of

Associated Commercial Corporation vs. Rodney O. Wood, et al. that it was unconstitutional to allow a transfer of title of an abandoned vehicle without a prior notification to the owner. As a result, the Attorney General's office advised the MVA to treat all abandoned vehicle transfers as they would transfers of abandoned vehicles that are less than eight years old.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Transportation (Motor Vehicle Administration), Department of Legislative Services

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