

HOUSE BILL 377

Unofficial Copy
R4

2001 Regular Session
(11r1773)

ENROLLED BILL

-- Commerce and Government Matters/Judicial Proceedings --

Introduced by **Delegate Arnick**

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.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Vehicles - Certificates of Title - Temporary Registration~~
3 ~~Vehicle Laws - Titling and Registration - Time Period Extensions~~

4 FOR the purpose of ~~altering the number of days after the date of delivery of certain~~
5 ~~vehicles within which a transferring dealer is required to send to the Motor~~
6 ~~Vehicle Administration certain documents, taxes, and fees required for titling~~
7 ~~the vehicle; altering the number of days after the date of delivery of certain~~
8 ~~vehicles within which a transferring dealer is required to deliver the certificate~~
9 ~~of title to the transferee or send to the Motor Vehicle Administration certain~~
10 ~~documents, taxes, and fees required for titling the vehicle; altering the number~~
11 ~~of days after issuance of a temporary plate after which the temporary~~
12 ~~registration of a vehicle expires; and generally relating to certificates of title and~~
13 ~~temporary registration of vehicles extending the period after the delivery of~~
14 ~~certain vehicles transferred from a licensed dealer to a person other than a~~
15 ~~licensed dealer during which the transferring dealer must send certain titling~~
16 ~~documents, taxes, and fees to the Motor Vehicle Administration; extending the~~

1 period during which a dealer who transfers certain vehicles to be registered and
 2 titled in Maryland must deliver a certificate of title to the transferee or send
 3 certain titling documents, taxes, and fees to the Administration; extending the
 4 period during which a dealer who transfers a vehicle that is not to be titled and
 5 registered in Maryland must deliver a certificate of title to the transferee;
 6 extending the period during which a temporary vehicle registration remains
 7 valid under certain circumstances; and generally relating to extending certain
 8 time periods concerning vehicle titling and registration.

9 BY repealing and reenacting, with amendments,
 10 Article - Transportation
 11 Section ~~13-113~~ 13-113(e) and 13-605
 12 Annotated Code of Maryland
 13 (1999 Replacement Volume and 2000 Supplement)

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

16 **Article - Transportation**

17 13-113.

18 (a) ~~If the transferee of a vehicle is a licensed dealer who holds the vehicle for~~
 19 ~~sale, the dealer shall within 20 days of the date of the transfer to the dealer of the~~
 20 ~~vehicle, obtain the certificate of title of the vehicle, which shall contain an assignment~~
 21 ~~and warranty of title executed by the former owner.~~

22 (b) ~~If the transferee of a vehicle is a licensed dealer who holds the vehicle for~~
 23 ~~sale, the dealer shall retain the certificate of title in his possession until the further~~
 24 ~~sale or transfer of ownership of the vehicle.~~

25 (c) ~~During business hours, the licensed dealer shall allow any representative~~
 26 ~~of the Administration and any police officer full access to all certificates of title of~~
 27 ~~vehicles held by him for sale.~~

28 (d) (1) ~~Except as provided in paragraph (2) of this subsection, if a licensed~~
 29 ~~dealer holds a vehicle for sale and transfers the vehicle to another licensed dealer who~~
 30 ~~holds the vehicle for sale, the transferring dealer, without applying for a new~~
 31 ~~certificate of title, shall:~~

32 (i) ~~Execute an assignment of title to the transferee dealer in the~~
 33 ~~manner and on the form that the Administration requires; and~~

34 (ii) ~~Include in the assignment a statement certifying each security~~
 35 ~~interest, lien, or other encumbrance on the vehicle.~~

36 (2) ~~If the certificate of title held by the transferring dealer does not~~
 37 ~~contain an open dealer reassignment section, the transferring dealer shall apply to~~
 38 ~~the Administration for the issuance of a certificate of title.~~

1 (e) (1) If a licensed dealer holds a vehicle for sale and transfers the vehicle
2 to someone other than another licensed dealer who holds the vehicle for sale, the
3 dealer shall:

4 (i) Execute an assignment and warranty of title to the transferee
5 in the manner and on the form that the Administration requires; and

6 (ii) Comply with the provisions specified in this subsection.

7 (2) If the vehicle is a Class A (passenger) vehicle, Class D (motorcycle)
8 vehicle, Class G (trailer) travel trailer or camping trailer, or Class M (multipurpose)
9 vehicle and is to be registered and titled in this State, the transferring dealer shall:

10 (i) Obtain from the transferee a completed application and collect
11 all taxes and fees required for titling the vehicle; and

12 (ii) Within [20] 30 days of the date of delivery of the vehicle, send
13 them, together with every other document required by § 13-104 of this subtitle, to the
14 Administration.

15 (3) If the vehicle is to be registered and titled in this State, but is not a
16 Class A (passenger) vehicle, Class D (motorcycle) vehicle, Class G (trailer) travel
17 trailer or camping trailer, or Class M (multipurpose) vehicle, the transferring dealer
18 shall, within [20] 30 days of the delivery of the vehicle, either:

19 (i) Deliver the certificate of title to the transferee; or

20 (ii) Send the transferee's completed application and all taxes and
21 fees required for titling the vehicle, together with every other document required by §
22 13-104 of this subtitle, to the Administration.

23 (4) If the vehicle is not to be titled in this State and is to be registered in
24 another state, the transferring dealer shall deliver the certificate of title to the
25 transferee within ~~20~~ 30 days of delivery of the vehicle.

26 ~~(f) (1) Notwithstanding any other provisions to the contrary, an automotive
27 dismantler or recycler licensed under Title 15 of this article may transfer a vehicle
28 that he owns, regardless of the type of ownership document issued for the vehicle, to
29 another licensed automotive dismantler or recycler or to a licensed dealer, without
30 applying for a new certificate of title, as provided in this subsection.~~

31 ~~(2) The automotive dismantler or recycler shall:~~

32 ~~(i) Execute an assignment of title to the transferee automotive
33 dismantler or recycler or dealer in the manner and on the form that the
34 Administration requires; and~~

35 ~~(ii) Include in the assignment a statement certifying each security
36 interest, lien, or other encumbrances on the vehicle.~~

1 (g) ~~If an automotive dismantler or recycler licensed under Title 15 of this~~
2 ~~article owns a vehicle declared as salvage and if a salvage certificate has been issued~~
3 ~~for the vehicle under §§ 13-506 and 13-507 of this title, the automotive dismantler or~~
4 ~~recycler may transfer the vehicle to any person, without applying for a new certificate~~
5 ~~of title, by executing an assignment of ownership on the salvage certificate or on the~~
6 ~~form that the Administration otherwise requires.~~

7 13-605.

8 (a) The temporary registration of a vehicle under this part expires on the first
9 to occur of:

- 10 (1) Receipt of annual registration plates for the vehicle;
- 11 (2) Rescission of the contract to buy the vehicle; or
- 12 (3) Expiration of [45] 60 days from the date the temporary plate was
13 issued.

14 (b) The Administration may extend the temporary registration for a vehicle
15 under this part for a period not to exceed 30 days if the Administration is satisfied
16 that reasonable conditions exist to justify the granting of this extension.

17 (c) The person to whom a temporary registration plate has been issued for a
18 vehicle shall destroy the temporary registration plate as soon as the temporary
19 registration expires.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2001.