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By: **Senator Astle**  
Introduced and read first time: January 22, 2001  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Historic Motor Vehicles - Safety Equipment Repair Orders**

3 FOR the purpose of requiring police officers to issue certain safety equipment repair  
4 orders to drivers of certain historic motor vehicles that are being operated with  
5 dangerous equipment or in a dangerous condition; requiring certain police  
6 departments to issue repair order certifications to the owners of certain historic  
7 motor vehicles under certain circumstances; and generally relating to safety  
8 equipment repair orders for historic motor vehicles.

9 BY repealing and reenacting, without amendments,  
10 Article - Transportation  
11 Section 13-936  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 2000 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - Transportation  
16 Section 23-101(i) and 23-105  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2000 Supplement)

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

21 **Article - Transportation**

22 13-936.

23 (a) In this section, "historic motor vehicle" means a motor vehicle, including a  
24 passenger vehicle, motorcycle, or truck, that:

- 25 (1) Is 20 years old or older;
- 26 (2) Has not been substantially altered from the manufacturer's original  
27 design; and

1 (3) Meets criteria contained in rules and regulations issued by the  
2 Administration.

3 (b) In this section, "historic motor vehicle" does not include a vehicle that has  
4 been remanufactured or reconstructed as a replica of an original vehicle.

5 (c) If registered with the Administration under this section, every historic  
6 motor vehicle is a Class L (historic) vehicle.

7 (d) For each Class L (historic) vehicle, the annual registration fee is \$13.50.

8 (e) In applying for registration of a historic motor vehicle under this section,  
9 the owner of the vehicle shall submit with the application a certification that the  
10 vehicle for which the application is made:

11 (1) Will be maintained for use in exhibitions, club activities, parades,  
12 tours, occasional transportation, and similar uses; and

13 (2) Will not be used:

14 (i) For general daily transportation; or

15 (ii) Primarily for the transportation of passengers or property on  
16 highways.

17 (f) Except as provided in § 13-936.1 of this subtitle, on registration of a  
18 vehicle under this section, the Administration shall issue a special, historic motor  
19 vehicle registration plate of the size and design that the Administration determines.

20 (g) Unless the presence of the equipment was specifically required by a  
21 statute of this State as a condition of sale when the vehicle was manufactured, the  
22 presence of any specific equipment is not required for the operation of a vehicle  
23 registered under this section.

24 (h) A vehicle registered under this section is exempt from any statute that  
25 requires periodic vehicle inspections or that requires the use and inspection of  
26 emission controls.

27 23-101.

28 (i) (1) "Vehicle" means, except as otherwise provided in this subsection, any  
29 vehicle registered or to be registered in this State as:

30 (i) A Class A (passenger) vehicle;

31 (ii) A Class M (multipurpose) vehicle;

32 (iii) A Class J (vanpool) vehicle;

33 (iv) A Class E (truck) vehicle;

- 1 (v) A Class F (tractor) vehicle;
- 2 (vi) A Class G (trailer) vehicle;
- 3 (vii) A Class B (for-hire) vehicle; or
- 4 (viii) A Class D (motorcycle) vehicle.

5 (2) For purposes of safety equipment repair orders only, "vehicle" means,  
6 except as provided in paragraph (3) of this subsection, any motor vehicle, trailer, or  
7 semitrailer.

8 (3) "Vehicle" does not include [any Class L (historic) vehicle, or] any  
9 trailer which is a mobile home as defined by § 11-134 of this article.

10 23-105.

11 (a) (1) If a police officer observes that a vehicle registered in this State,  
12 OTHER THAN A CLASS L (HISTORIC) VEHICLE, is being operated with any equipment  
13 that apparently does not meet the standards established under this subtitle or the  
14 standards established under § 24-106.1(e) of this article, the officer shall stop the  
15 driver of the vehicle and issue to [him] THE DRIVER a safety equipment repair order.

16 (2) IF A POLICE OFFICER OBSERVES THAT A CLASS L (HISTORIC)  
17 VEHICLE IS BEING OPERATED WITH EQUIPMENT OR IN A CONDITION THAT THE  
18 POLICE OFFICER REASONABLY BELIEVES IS DANGEROUS BECAUSE THE EQUIPMENT  
19 OR THE CONDITION POSES A SIGNIFICANT RISK OF HARM TO THE OCCUPANTS OF  
20 THE VEHICLE OR TO ANY OTHER PERSON, THE POLICE OFFICER SHALL STOP THE  
21 DRIVER OF THE VEHICLE AND ISSUE TO THE DRIVER A SAFETY EQUIPMENT REPAIR  
22 ORDER.

23 [(2)] (3) A police officer may issue a safety equipment repair order for a  
24 cover required under § 24-106.1(e) of this article only if:

25 (i) The vehicle is equipped with a cover; and

26 (ii) The cover, or any equipment necessary to properly secure the  
27 cover, does not meet the standards established under § 24-106.1(e) of this article.

28 (b) The safety equipment repair order shall direct the owner of the vehicle:

29 (1) To have the equipment corrected as necessary at a place of the  
30 owner's choosing within 10 days from the issuance of the order; and

31 (2) To send to the Division a repair order certification dated subsequent  
32 to the issuance of the order.

33 (c) (1) If a safety equipment repair order is for equipment that can be  
34 certified as corrected or adequate by visual inspection and without the use of testing  
35 equipment, any police department that issues safety equipment repair orders and  
36 repair order certifications shall, on request of the owner:

1 (i) Visually inspect the vehicle; and

2 (ii) [If] ISSUE A REPAIR ORDER CERTIFICATION IF:

3 1. [the]THE equipment meets or exceeds the standards  
4 established under this subtitle [, issue a repair order certification]; OR

5 2. WHERE THE SAFETY EQUIPMENT REPAIR ORDER WAS  
6 ISSUED TO THE DRIVER OF A CLASS L (HISTORIC) VEHICLE, THE DANGEROUS  
7 EQUIPMENT OR CONDITION IS MADE REASONABLY SAFE.

8 (2) The Division shall determine the equipment that may be inspected  
9 visually under this subsection and shall adopt rules and regulations to carry out its  
10 provisions.

11 (d) The Division shall prepare and provide safety equipment repair order  
12 forms and repair order certification forms.

13 (e) (1) In cooperation with the Administration, the Division shall adopt  
14 rules and regulations to carry out the provisions of this section.

15 (2) The rules or regulations shall provide for:

16 (i) Suspending the registration of any vehicle for which a safety  
17 equipment repair order has been issued, on failure to comply with the order within 30  
18 days after its issuance; and

19 (ii) Reinstating the suspended registration, on receipt of  
20 satisfactory evidence that the equipment has been corrected or that the equipment  
21 meets or exceeds the standards established under this subtitle.

22 (f) This section does not limit or supersede any other provision of law  
23 concerning vehicle equipment or the means of enforcing the laws relating to that  
24 equipment.

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