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By: **Delegates Niemann, Benson, DeBoy, Dwyer, Feldman, Gutierrez,  
Holmes, Hubbard, Lee, Ross, Simmons, Sossi, Vallario, and Vaughn**  
Introduced and read first time: February 7, 2003  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Motor Vehicle Registration Plates - Unauthorized Use**

3 FOR the purpose of recodifying and altering a certain crime related to a person  
4 attaching to a motor vehicle a registration plate not authorized by law for use on  
5 the motor vehicle; providing that in a certain prosecution a certain record of the  
6 Motor Vehicle Administration shall be prima facie evidence that a registration  
7 plate that is attached to a motor vehicle is not authorized for use on the motor  
8 vehicle; providing for certain penalties; and generally relating to the  
9 unauthorized use of motor vehicle registration plates.

10 BY adding to  
11 Article - Criminal Law  
12 Section 7-111  
13 Annotated Code of Maryland  
14 (2002 Volume)

15 BY repealing and reenacting, with amendments,  
16 Article - Transportation  
17 Section 14-107(k), (l), and (m)  
18 Annotated Code of Maryland  
19 (2002 Replacement Volume)

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

22 **Article - Criminal Law**

23 7-111.

24 (A) A PERSON MAY NOT ATTACH TO A MOTOR VEHICLE A REGISTRATION  
25 PLATE NOT AUTHORIZED BY LAW FOR USE ON THE MOTOR VEHICLE.

26 (B) IN A PROSECUTION UNDER THIS SECTION, A RECORD OF THE MOTOR  
27 VEHICLE ADMINISTRATION, PRINTED BY A LAW ENFORCEMENT OFFICER FROM A

1 COMPUTER TERMINAL DESIGNATED BY THE ADMINISTRATION FOR THE SPECIFIC  
2 PURPOSE OF INDICATING THE VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE  
3 TO WHICH A REGISTRATION PLATE IS ASSIGNED, SHALL BE PRIMA FACIE EVIDENCE  
4 THAT THE REGISTRATION PLATE THAT IS ATTACHED TO A MOTOR VEHICLE IS NOT  
5 AUTHORIZED FOR USE ON THE MOTOR VEHICLE.

6 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
7 AND ON CONVICTION IS SUBJECT TO:

8 (1) FOR A FIRST OFFENSE, IMPRISONMENT NOT EXCEEDING 90 DAYS OR  
9 A FINE NOT EXCEEDING \$500 OR BOTH; AND

10 (2) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT NOT  
11 EXCEEDING 18 MONTHS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

12 **Article - Transportation**

13 14-107.

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

17 (l)] An identification number may be:

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

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

22 [(m)] (L) (1) An insurance company or its insurance producer may buy,  
23 receive, and possess a motor vehicle knowing that the identification number of the  
24 vehicle has been removed, if the vehicle is the subject of a total loss settlement by the  
25 insurance company.

26 (2) An insurance company or its insurance producer may sell or dispose  
27 of a motor vehicle knowing that the identification number of the vehicle has been  
28 removed, if:

29 (i) The vehicle is the subject of a total loss settlement by the  
30 insurance company;

31 (ii) The Administration will not issue a distinguishing number  
32 under § 13-106.1 of this article;

33 (iii) The insurance company or its insurance producer determines  
34 that the vehicle is not rebuildable; and

1 (iv) The transfer is to a licensed automotive dismantler and recycler  
2 or licensed scrap processor.

3 (3) An insurance company or its insurance producer may sell or dispose  
4 of a motor vehicle knowing that the identification number of the vehicle has been  
5 removed, if:

6 (i) The vehicle is the subject of a total loss settlement by the  
7 insurance company;

8 (ii) The Administration will not issue a distinguishing number  
9 under § 13-106.1 of this article;

10 (iii) The insurance company or its insurance producer determines  
11 that the vehicle is rebuildable;

12 (iv) The transfer is to a licensed dealer, licensed automotive  
13 dismantler and recycler, or licensed scrap processor; and

14 (v) The transferee is advised that the vehicle may not be offered for  
15 resale to any other person until after the vehicle has been assigned a distinguishing  
16 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, 2003.