SENATE BILL 13

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By: Senator Ruben

Introduced and read first time: January 10, 2003

Assigned to: Judicial Proceedings

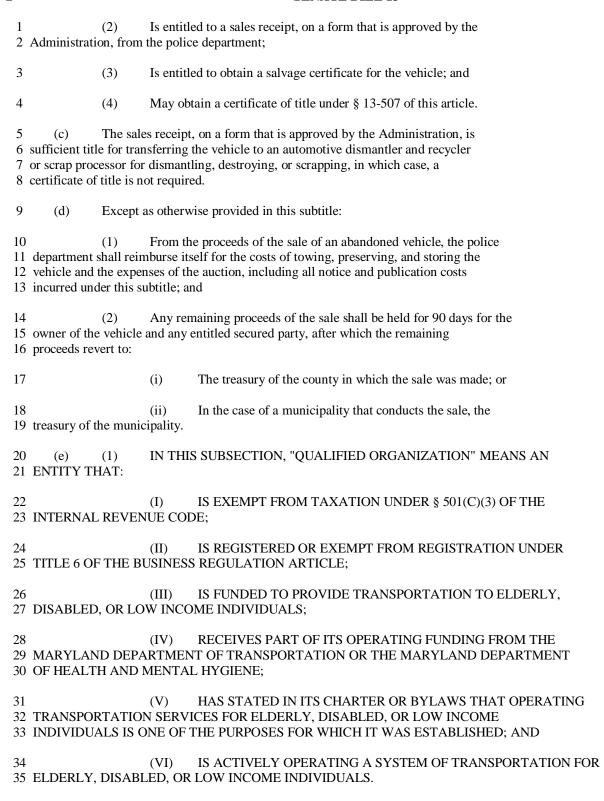
A BILL ENTITLED

1 AN ACT concerning

2 Vehicle Laws - Disposition of Abandoned Vehicles - Charitable Entities

- 3 FOR the purpose of authorizing a police department that takes possession of an
- 4 abandoned vehicle to offer a certain charitable entity that meets certain
- 5 requirements the opportunity to buy the abandoned vehicle before the vehicle is
- 6 sold at public auction under certain circumstances; prohibiting a police
- 7 department from offering a certain charitable entity an opportunity to buy an
- 8 abandoned vehicle without the consent of certain secured parties; authorizing
- an abandoned vehicle retained by a police department for public purposes to be
- sold to certain charitable entities when no longer usable for public purposes;
- defining a term; and generally relating to the disposition of abandoned vehicles
- to charitable entities.
- 13 BY repealing and reenacting, with amendments,
- 14 Article Transportation
- 15 Section 25-207
- 16 Annotated Code of Maryland
- 17 (2002 Replacement Volume)
- 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 25-207.
- 22 (a) Except as provided in subsection (e) of this section, if an abandoned vehicle
- 23 is not reclaimed as provided for in this subtitle, the police department shall sell the
- 24 vehicle at public auction.
- 25 (b) The buyer of the vehicle at auction:
- 26 (1) Takes ownership of the vehicle free and clear of any claim of
- 27 ownership or lien of any other person;

SENATE BILL 13



24 effect October 1, 2003.

SENATE BILL 13

3 4 5	for an abandoned vehicle under § 25-207.1 of this subtitle, a police department may retain and use the vehicle for public purposes OR OFFER A QUALIFIED ORGANIZATION THE OPPORTUNITY TO BUY THE VEHICLE BEFORE PUBLIC AUCTION without any further notice or consent of the owner other than a lessor as provided in paragraph [(2)] (3) of this subsection.
9 10	[(2)] (3) (i) If there is a secured party with an interest in the vehicle as shown on the records of the Administration, the police department may not retain the vehicle for public purposes OR OFFER A QUALIFIED ORGANIZATION THE OPPORTUNITY TO BUY THE VEHICLE without the written consent of the secured party.
	(ii) If the vehicle is owned by a lessor under a lease not intended as security, the police department may not retain the vehicle for public purposes without the written consent of the lessor.
15	(f) A vehicle retained for public purposes under subsection (e) of this section:
16 17	(1) May be dismantled or disassembled for the purpose of using its component parts; and
20 21 22	the police department, without further notice, be sold at public auction as provided in this subtitle, SOLD TO A QUALIFIED ORGANIZATION AS DEFINED IN SUBSECTION (E)(1) OF THIS SECTION, or transferred by the police department to a scrap processor licensed under § 15-502 of this article.
23	SECTION 2 AND BE IT FURTHER ENACTED. That this Act shall take