

SENATE BILL 638

Unofficial Copy  
R4

2003 Regular Session  
3r2482  
CF HB 493

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By: **Senator Astle**

Introduced and read first time: February 10, 2003

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Vehicle Laws - Chesapeake Bay Commemorative License Plate - Renewal**  
3                                   **Fee**

4 FOR the purpose of establishing a renewal fee for the Chesapeake Bay  
5 Commemorative License Plate in addition to the annual registration fee;  
6 providing the manner in which the renewal fee is established, collected, and  
7 distributed in connection with the registration plate; providing that certain  
8 moneys may not be used for certain purposes subject to a certain exception;  
9 providing a certain fee exemption applicable to certain vehicles; requiring the  
10 Administration to make certain consultations with a certain organization;  
11 providing for the termination of this Act; and generally relating to a renewal fee  
12 for the Chesapeake Bay Commemorative License Plate.

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 13-618  
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 13-618.

22 (a) The Administration may issue special commemorative original or  
23 substitute registration plates for any geographical, historical, natural resource, or  
24 environmental commemoration of statewide significance.

25 (b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended  
26 as security, or a director, officer, employee, or partner of a business entity that owns  
27 the vehicle considered eligible by the Administration may apply to the Administration  
28 for the assignment of a commemorative registration plate under this section if the  
29 vehicle is included in one of the following classes:

- 1 (1) A Class A (passenger) vehicle;
- 2 (2) A Class B (for hire) vehicle;
- 3 (3) A Class E (truck) vehicle with a manufacturer's rated capacity of one  
4 ton or less;
- 5 (4) A Class G (trailer) vehicle; or
- 6 (5) A Class M (multipurpose) vehicle.

7 (c) (1) An original or substitute commemorative plate may only be issued  
8 under this section for a fixed period of 2 consecutive years after its initial issuance.

9 (2) The Administration may only issue 1 commemorative plate under  
10 this section at any one time.

11 (d) (1) In addition to the annual registration fee otherwise required under  
12 this title, an owner of a vehicle assigned a commemorative registration plate under  
13 this section shall pay [the]:

14 (I) AN ADDITIONAL INITIAL REGISTRATION fee set by the  
15 Administration when the new registration plates are issued to the vehicle under this  
16 section; OR

17 (II) AN ADDITIONAL RENEWAL FEE SET BY THE ADMINISTRATION  
18 EACH TIME THE PLATE IS RENEWED.

19 (2) (i) The Administration shall set the ADDITIONAL INITIAL  
20 REGISTRATION fee at a level that will enable the Administration to recover its costs  
21 under this section.

22 (ii) The Administration may [charge a fee] SET THE ADDITIONAL  
23 INITIAL REGISTRATION FEE AT A LEVEL that is sufficient to result in a surplus after  
24 costs are subtracted.

25 (iii) The Administration shall retain a portion of the ADDITIONAL  
26 INITIAL REGISTRATION fee that is sufficient to allow the Administration to recover  
27 any costs of issuing and distributing commemorative plates under this section.

28 (iv) Any surplus moneys remaining after the Administration has  
29 recovered the costs of issuing a commemorative plate under this section AND MONEYS  
30 COLLECTED FOR ADDITIONAL RENEWAL FEES may not be retained by or transferred  
31 to any agency of the State for any purpose.

32 (v) Notwithstanding subparagraph (iv) of this paragraph, the  
33 surplus moneys AND MONEYS COLLECTED FOR ADDITIONAL RENEWAL FEES may be  
34 retained for the purpose described in paragraph (3) of this subsection.

1           (3)     The surplus moneys AND MONEYS COLLECTED FOR ADDITIONAL  
2 RENEWAL FEES shall be disbursed by the Administration to a nonprofit organization  
3 that is:

4                   (i)     Closely related to the geographical, historical, natural resource,  
5 or environmental theme which the plate commemorates; and

6                   (ii)    Designated by the Administration under subsection (e) of this  
7 section.

8           (4)     No portion of the [fee] ADDITIONAL INITIAL REGISTRATION OR  
9 RENEWAL FEES may be credited to the Gasoline and Motor Vehicle Revenue Account  
10 for distribution under § 8-403 or § 8-404 of the Transportation Article.

11   (e)   (1)     The Administration shall adopt regulations not inconsistent with the  
12 Maryland Vehicle Law to govern the issuance of special registration plates under this  
13 section.

14           (2)     Before designating any nonprofit organization to receive any surplus  
15 moneys OR MONEYS COLLECTED FOR ADDITIONAL RENEWAL FEES and before  
16 distributing [any surplus] THE moneys to any nonprofit organization, the  
17 Administration shall adopt regulations specific to each new commemorative plate  
18 detailing:

19                   (i)     The name and nature of the nonprofit organization receiving  
20 the money;

21                   (ii)    The relationship of the nonprofit organization to the  
22 geographical, historical, natural resource, or environmental theme which the plate  
23 commemorates; and

24                   (iii)   The plan of distribution of the funds.

25           (3)     THE ADMINISTRATION SHALL CONSULT WITH THE NONPROFIT  
26 ORGANIZATION DESIGNATED TO RECEIVE MONEYS UNDER THIS SECTION TO  
27 ESTABLISH A SCHEDULE UNDER WHICH THE ADMINISTRATION WILL TRANSFER TO  
28 THE NONPROFIT ORGANIZATION REVENUE COLLECTED ON BEHALF OF THE  
29 NONPROFIT ORGANIZATION UNDER THIS SECTION.

30   (f)   The additional [fee] FEES to the annual registration fee required by this  
31 section [is] ARE not required for special registration of a vehicle that is exempt under  
32 § 13-903 of this title, or a vehicle with a special registration plate recognizing:

33           (1)     The Maryland National Guard; or

34           (2)     A volunteer fire department, volunteer rescue squad, or volunteer  
35 ambulance company in this State.

36   (g)   (1)     A special registration number as specified by the Administration and  
37 assigned under this section may consist of:

- 1 (i) Any combination of:
- 2 1. Letters; and
- 3 2. Numerals; and

4 (ii) Any design approved by the Administration that adequately  
5 reflects the geographical, historical, natural resource, or environmental theme which  
6 the plate commemorates.

7 (2) A special registration number or design assigned under this section  
8 shall be displayed on the registration plates for the vehicle.

9 (3) THE ADMINISTRATION SHALL CONSULT WITH THE NONPROFIT  
10 ORGANIZATION DESIGNATED TO RECEIVE MONEYS UNDER THIS SECTION WITH  
11 RESPECT TO ANY DESIGN OF THE CHESAPEAKE BAY COMMEMORATIVE LICENSE  
12 PLATE.

13 SECTION 2. AND BE IT FURTHER ENACTED, That the Motor Vehicle  
14 Administration, in conjunction with the nonprofit organization designated to receive  
15 moneys under this Act, shall implement the renewal fee for the Chesapeake Bay  
16 Commemorative License Plate by January 1, 2004.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 July 1, 2003. It shall remain effective for a period of 7 years and, at the end of June  
19 30, 2010, with no further action required by the General Assembly, this Act shall be  
20 abrogated and of no further force and effect.