
By: **Senators Hooper, Astle, Colburn, Garagiola, Green, Haines, Harris,
Jacobs, Mooney, and Stone**

Introduced and read first time: January 23, 2004

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Registration - Members of the Military**

3 FOR the purpose of exempting certain vehicles owned by members of the armed forces
4 of the United States or the Maryland National Guard who are on or recently
5 returned from active duty outside the United States from the requirement to be
6 registered; exempting certain vehicles owned by members of the armed forces of
7 the United States or the Maryland National Guard returning from active duty
8 outside the United States from certain registration fees for a certain period; and
9 generally relating to vehicle laws, registration, and members of the military.

10 BY repealing and reenacting, with amendments,
11 Article - Transportation
12 Section 13-402
13 Annotated Code of Maryland
14 (2002 Replacement Volume and 2003 Supplement)

15 BY adding to
16 Article - Transportation
17 Section 13-903(e)
18 Annotated Code of Maryland
19 (2002 Replacement Volume and 2003 Supplement)

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

22 **Article - Transportation**

23 13-402.

24 (a) (1) Except as otherwise provided in this section or elsewhere in the
25 Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven
26 on a highway shall be registered under this subtitle.

1 (2) If a motor vehicle required to be registered under this subtitle is not
2 registered, a person may not park the unregistered motor vehicle on any:

3 (i) Public alley, street, or highway; or

4 (ii) Private property used by the public in general, including
5 parking lots of shopping centers, condominiums, apartments, or town house
6 developments.

7 (3) The provisions of paragraph (2) of this subsection do not apply to a
8 motor vehicle that is exempt from registration under this section or § 13-402.1 of this
9 subtitle.

10 (b) Except as otherwise expressly authorized in this title, the Administration
11 may not register or renew the registration of a vehicle unless the Administration has
12 issued to the owner a certificate of title of the vehicle or has received an application
13 for the certificate of title.

14 (c) Registration under this subtitle is not required for:

15 (1) A vehicle that is driven on a highway:

16 (i) In conformity with the provisions of this title relating to
17 manufacturers, transporters, dealers, secured parties, owners or operators of special
18 mobile equipment, or nonresidents; or

19 (ii) Under a temporary registration card issued by the
20 Administration;

21 (2) A vehicle owned and used by the United States, unless an authorized
22 officer or employee of the United States requests registration of the vehicle;

23 (3) A farm tractor or any farm equipment;

24 (4) A vehicle the front or rear wheels of which are lifted from the
25 highway;

26 (5) A towed vehicle that is attached to the towing vehicle by a tow bar
27 and for which no driver is necessary;

28 (6) A vehicle owned by and in the possession of a licensed dealer for
29 purpose of sale;

30 (7) A vehicle owned by a new resident of this State during the first 60
31 days of residency provided the vehicle displays valid registration issued by the
32 jurisdiction of the resident's former domicile;

33 (8) New vehicles being operated as part of a shuttle, as defined in §
34 13-626 of this title, while following a registered vehicle displaying a shuttle permit
35 issued by the Administration;

1 (9) A vehicle operated in connection with maritime commerce exclusively
2 within any terminal owned or leased by the Maryland Port Administration;

3 (10) A snowmobile which is operated on highways and roadways as
4 prescribed by § 25-102(a)(14) of this article;

5 (11) A golf cart which is operated on a highway on Smith Island, provided
6 that the golf cart is equipped with lighting devices as required by the Administration
7 if it is operated on a highway between dusk and dawn;

8 (12) A golf cart which is operated on an Allegany County highway as
9 allowed by the County under § 25-102(a)(16) of this article; [or]

10 (13) A vehicle owned by an accredited consular or diplomatic officer of a
11 foreign government and operated for official or personal purposes when the vehicle
12 displays a valid diplomatic license plate issued by the United States government; OR

13 (14) A VEHICLE THAT IS NOT DRIVEN ON A HIGHWAY AND IS OWNED BY A
14 MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR THE MARYLAND
15 NATIONAL GUARD WHO IS ON ACTIVE DUTY OUTSIDE THE UNITED STATES OR HAS
16 RETURNED FROM ACTIVE DUTY OUTSIDE THE UNITED STATES WITHIN THE
17 PREVIOUS 30 DAYS.

18 (d) (1) If a motor vehicle, trailer, or semitrailer is registered in another
19 state, displays current registration plates issued for it by that state, and is brought
20 into this State by a nonresident for transporting seasonal farm workers to be
21 employed on farms in this State or for work incidental to seasonal crop operations on
22 farms in this State, the vehicle need not be registered in this State if:

23 (i) The vehicle is being used as an incidental part of harvesting
24 operations within a distance of not more than 35 miles from the source of the crop;
25 and

26 (ii) The owner of the vehicle has obtained an exemption permit for
27 the vehicle, as provided in this subsection.

28 (2) When the Administration receives a certification by the Secretary of
29 the State Police that a vehicle is entitled to an exemption under this subsection, the
30 Administration shall issue an exemption permit on the form the Secretary of the
31 State Police approves. The form shall be carried at all times by the driver of the
32 vehicle for which it is issued or in a conspicuous place on the vehicle.

33 (3) The exemption permit is:

34 (i) Valid for a period of 90 days from the date of issue; and

35 (ii) Eligible for renewal under the procedure set forth in this
36 subsection for an additional period of not more than 90 days in any 1 calendar year.

37 (4) The Secretary of the State Police:

1 (i) May require a certificate of inspection of the equipment of the
2 vehicle; and

3 (ii) Shall require a certificate of insurance by a company authorized
4 to do business in this State, certifying that the vehicle is insured to the same extent
5 as required of vehicles registered in this State.

6 (e) Except for members elected from this State, if a member of the United
7 States Congress resides in this State during his term of office in the Congress, he
8 need not register his vehicles in this State during that time.

9 (f) A trailer or semitrailer operated in intrastate service need not be
10 registered in this State if:

11 (1) It is registered in another state;

12 (2) The truck tractor or other vehicle that is towing it is registered in this
13 State; and

14 (3) The registered owner of the truck tractor or other towing vehicle has
15 at least one trailer or semitrailer registered in this State for each truck tractor also
16 registered in this State.

17 (g) (1) A trailer or semitrailer rented or leased in intrastate service need not
18 be registered in this State if, subject to paragraph (2) of this subsection:

19 (i) The trailer or semitrailer has a chassis weight of 1,000 pounds
20 or less;

21 (ii) The trailer or semitrailer is registered in another state; and

22 (iii) The owner of the trailer or semitrailer annually has registered
23 in this State a number of these trailers and semitrailers that is at least equal to the
24 average number of these trailers and semitrailers that the owner annually will have
25 available in this State for rent or lease in intrastate service.

26 (2) If a person claims exemption for a trailer or semitrailer under this
27 subsection, the person shall file annually with the Administration, at the time and in
28 the manner that the Administration requires, an affidavit that sets forth, as to all
29 such trailers and semitrailers that the person has available in all states for rent or
30 lease:

31 (i) The total number annually registered in all states;

32 (ii) The total number annually registered in this State; and

33 (iii) The average total number annually available for rent or lease in
34 this State.

35 (h) (1) A motor vehicle rented in intrastate service need not be registered in
36 this State if, subject to paragraph (3) of this subsection:

1 (i) The motor vehicle is registered in another state; and

2 (ii) The owner of the motor vehicle annually has registered in this
3 State a percentage of the total number of these motor vehicles in a rental fleet as
4 determined under paragraph (2) of this subsection.

5 (2) The percentage of the total number of motor vehicles in a rental fleet
6 that must be registered in this State is determined by dividing the gross revenue
7 received in the preceding year for the use of such rental vehicles arising from all
8 motor vehicle rental transactions occurring in this State by the total gross revenue
9 received in the preceding year for the use of such rental vehicles arising from all
10 motor vehicle rental transactions occurring in all jurisdictions in which the rental
11 fleet is operated. The resulting percentage shall be applied to the total number of
12 motor vehicles in the rental fleet and that figure, to the nearest whole number, shall
13 be the number of rental motor vehicles that shall be fully registered and titled in this
14 State.

15 (3) If a person claims exemption for a motor vehicle under this
16 subsection, the person shall file annually with the Administration, at the time and in
17 the manner that the Administration requires, an affidavit that sets forth, as to all
18 such motor vehicles that the person has available in all states for rent:

19 (i) The gross revenue received in the preceding year for the use of
20 such rental motor vehicles arising from all motor vehicle rental transactions
21 occurring in Maryland; and

22 (ii) The total gross revenue received in the preceding year for the
23 use of such rental motor vehicles arising from all motor vehicle rental transactions
24 occurring in all jurisdictions.

25 (4) A person who rents to another person a motor vehicle or attempts to
26 rent to another person a motor vehicle in this State in violation of any of the
27 provisions of this section is guilty of a misdemeanor.

28 (i) A person who drives or attempts to drive a vehicle on any highway in this
29 State in violation of any of the provisions of this section is guilty of a misdemeanor.

30 13-903.

31 (E) ANY VEHICLE OWNED AND PERSONALLY USED BY A MEMBER OF THE
32 ARMED FORCES OF THE UNITED STATES OR THE MARYLAND NATIONAL GUARD WHO
33 HAS RETURNED FROM ACTIVE DUTY OUTSIDE THE UNITED STATES SHALL BE
34 EXEMPT FROM THE REGISTRATION FEES SPECIFIED IN THIS SUBTITLE FOR A PERIOD
35 OF 2 YEARS AFTER THE MEMBER'S RETURN.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 October 1, 2004.