

SENATE BILL 719

Unofficial Copy
R7

2004 Regular Session
4r2282
CF 4r1774

By: **Senator Forehand**

Introduced and read first time: February 6, 2004

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Antitheft Laws - Key Duplication and Possession**

3 FOR the purpose of requiring, subject to certain exceptions, a person who makes for
4 another person a key capable of operating the ignition of a motor vehicle to
5 require that the person requesting the key present certain proof of ownership of
6 the vehicle and certain identification; prohibiting an individual from possessing
7 a key to the motor vehicle of another with intent to violate a certain provision of
8 law; prohibiting an individual from requesting that a key be made with intent to
9 violate a certain provision of law; providing for the application of certain
10 provisions of this Act; establishing certain penalties for violations of this Act;
11 and generally relating to the possession and duplication of motor vehicle keys.

12 BY repealing and reenacting, without amendments,
13 Article - Criminal Law
14 Section 7-105(b)
15 Annotated Code of Maryland
16 (2002 Volume and 2003 Supplement)

17 BY adding to
18 Article - Transportation
19 Section 14-103.1
20 Annotated Code of Maryland
21 (2002 Replacement Volume and 2003 Supplement)

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

24 **Article - Criminal Law**

25 7-105.

26 (b) A person may not knowingly and willfully take a motor vehicle out of the
27 owner's lawful custody, control, or use without the owner's consent.

1 **Article - Transportation**

2 14-103.1.

3 (A) (1) THIS SUBSECTION DOES NOT APPLY TO:

4 (I) A MOTOR VEHICLE MANUFACTURER WHO MAKES A KEY FOR A
5 NEWLY MANUFACTURED MOTOR VEHICLE; OR

6 (II) A PERSON WHO MAKES A KEY BY DUPLICATING ANOTHER KEY.

7 (2) ANY PERSON WHO MAKES FOR ANOTHER PERSON A KEY CAPABLE OF
8 OPERATING THE IGNITION OF A MOTOR VEHICLE, WHETHER OR NOT FOR
9 COMPENSATION, SHALL REQUIRE THE INDIVIDUAL REQUESTING THE KEY TO
10 PRESENT:11 (I) AS PROOF OF OWNERSHIP OF THE VEHICLE FOR WHICH THE
12 KEY IS MADE:

13 1. THE CERTIFICATE OF TITLE FOR THE VEHICLE; OR

14 2. THE CERTIFICATE OF REGISTRATION FOR THE VEHICLE;
15 AND

16 (II) AS IDENTIFICATION:

17 1. THE DRIVER'S LICENSE OF THE REQUESTOR;

18 2. AN IDENTIFICATION CARD ISSUED TO THE REQUESTOR
19 UNDER § 12-301 OF THIS ARTICLE; OR

20 3. THE PASSPORT OF THE REQUESTOR.

21 (B) (1) AN INDIVIDUAL MAY NOT POSSESS A KEY TO THE MOTOR VEHICLE
22 OF ANOTHER WITH THE INTENT OF USING THE KEY TO VIOLATE § 7-105(B) OF THE
23 CRIMINAL LAW ARTICLE.24 (2) AN INDIVIDUAL MAY NOT REQUEST THAT A KEY CAPABLE OF
25 OPERATING THE IGNITION OF THE MOTOR VEHICLE OF ANOTHER BE MADE WITH
26 THE INTENT OF USING THE KEY TO VIOLATE § 7-105(B) OF THE CRIMINAL LAW
27 ARTICLE.28 (C) AN INDIVIDUAL WHO IS CONVICTED OF A VIOLATION OF THIS SECTION IS
29 SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONMENT FOR NOT MORE
30 THAN 1 YEAR OR BOTH.31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect October 1, 2004.