## **UNOFFICIAL COPY OF HOUSE BILL 31**

5lr0292 R4 HB 1381/04 - ENV (PRE-FILED) By: Delegates Leopold and Sophocleus Requested: July 6, 2004 Introduced and read first time: January 12, 2005 Assigned to: Environmental Matters A BILL ENTITLED 1 AN ACT concerning 2 Vehicle Laws - Lapsed or Terminated Security - Penalties 3 FOR the purpose of altering the penalty that may be assessed by the Motor Vehicle Administration for a vehicle that is without the security required for the vehicle 4 5 for a certain period; increasing the penalty that may be assessed for a vehicle that continues to be in violation of certain security requirements for a certain 6 7 period; increasing the amount of the daily penalty that may be assessed for 8 violating certain vehicle security requirements after a certain period; increasing the maximum penalty that may be assessed for a violation of certain vehicle 9 security requirements occurring within a certain period; and generally relating 10 to penalties for lapsed or terminated security for motor vehicles. 11 12 BY repealing and reenacting, with amendments, Article - Transportation 13 Section 17-106(e) 14 15 Annotated Code of Maryland 16 (2002 Replacement Volume and 2004 Supplement) 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 18 MARYLAND, That the Laws of Maryland read as follows: 19 **Article - Transportation** 20 17-106. In addition to any other penalty provided for in the Maryland 21 (e) (1) 22 Vehicle Law, if the required security for a vehicle terminates or otherwise lapses 23 during its registration year, the Administration may assess the owner of the vehicle 24 with [a penalty of \$150 for each vehicle without the required security for a period of 25 1 to 30 days. If a fine is assessed, beginning on the 31st day the fine shall increase by 26 a rate of \$7 for each day THE FOLLOWING PENALTIES: FOR EACH VEHICLE WITHOUT THE REQUIRED SECURITY 28 FOR A PERIOD OF 1 TO 15 DAYS, \$75; OR

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1 2	1 2. 2 FOR A PERIOD OF 16 TO 30 DAYS,	FOR EACH VEHICLE WITHOUT THE REQUIRED SECURITY $\$180.$	
3 4	3 (II) IF A FI 4 SHALL INCREASE TO A RATE OF S	NE IS ASSESSED, BEGINNING ON THE 31ST DAY THE FINE \$9 FOR EACH DAY.	
5 6	5 [(ii)] (III) 6 vehicle terminates or otherwise lapses s	Each period during which the required security for a shall constitute a separate violation.	
7 8	7 [(iii)] (IV) The penalty imposed under this subsection may not 8 exceed [\$2,500] \$3,000 for each violation in a 12-month period.		
9 10	9 (2) (i) A penal 10 follows:	Ity assessed under this subsection shall be paid as	
	1. 1. 1. through (iv) of this paragraph; and	70% to be allocated as provided in subparagraphs (ii)	
14 15	2. 14 Administration, subject to subsection ( 15 contracts with independent agents to as 16 registration as authorized in subsection	ssist in the recovery of evidences of	
19 20	For the fiscal year beginning July 1, 2001, the percentage of the penalties specified under subparagraph (i)1 of this paragraph shall be allocated among the Vehicle Theft Prevention Fund, the Motor Vehicle Registration Enforcement Fund, the School Bus Safety Enforcement Fund, the Transportation Trust Fund, and the General Fund as follows:		
	22 1. 23 Fund;	\$400,000 to the Motor Vehicle Registration Enforcement	
24	24 2.	\$600,000 to the School Bus Safety Enforcement Fund;	
25	25 3.	\$2,000,000 to the Vehicle Theft Prevention Fund;	
26	26 4.	\$9,600,000 to the Transportation Trust Fund; and	
27	27 5.	The balance to the General Fund.	
30 31	(iii) For the fiscal year beginning July 1, 2002, the percentage of the penalties specified under subparagraph (i)1 of this paragraph shall be allocated among the Vehicle Theft Prevention Fund, the Maryland Automobile Insurance Fund, the Motor Vehicle Registration Enforcement Fund, the School Bus Safety Enforcement Fund, and the General Fund as follows:		
	33 1. 34 Fund;	\$400,000 to the Motor Vehicle Registration Enforcement	
35	35 2.	\$600,000 to the School Bus Safety Enforcement Fund;	

The monetary penalties provided in this subsection may not be

Regardless of whether money or other valuable consideration is

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(ii)

(iii)

34 involved in the transfer, if title to a vehicle is transferred by an individual who has 35 violated this subtitle to a family member, any suspension of the vehicle's registration

32 avoided by transferring title to the vehicle.

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- 1 that occurred before the transfer shall continue as if no transfer had occurred and a
- 2 new registration may not be issued until the penalty fee is paid.
- 3 (5) An amount equal to the monetary penalties paid to the
- 4 Administration under paragraph (2) of this subsection may be used by the
- 5 Administration only for the enforcement of this subtitle.
- 6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 7 October 1, 2005.