

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 412 (Senator Giannetti)
Judicial Proceedings

Vehicle Laws - Registration Plate Covers - Definition

This bill alters the definition of “registration plate cover” to include an object that *functions to obscure or block* the reading of any of the characters of a vehicle’s registration plate within the prohibition on the sale, use, and promotion of registration plate covers.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the penalty provisions applicable under the Maryland Vehicle Law (maximum \$500 fine). Enforcement could be handled with existing resources.

Local Effect: Potential minimal increase in revenues due to the prohibition of products designed to help individuals avoid citation for traffic offenses. Enforcement could be handled with existing resources.

Small Business Effect: Small businesses that sell products that now function as registration plate covers would no longer be able to sell these products; however, this effect would likely be minimal.

Analysis

Current Law: Registration plates must be clearly legible and free from foreign materials, including plate covers. Registration plate cover is defined as any tinted, colored, painted, marked, clear, or illuminated object designed to cover any of the characters of a vehicle’s registration plate or distort an image of a registration plate

recorded by a traffic monitoring system designed to detect failure to obey traffic laws at an intersection. A person may not sell, use, or promote the sale of registration plate covers.

Failure to properly maintain and fasten vehicle registration plates in a visible position (which includes having a registration plate cover) is a misdemeanor subject to a maximum \$500 penalty. If the fine is prepaid and not contested, the penalty for this offense is \$55.

Background: In recent years, jurisdictions have been using red light cameras to prevent individuals from running red lights. These cameras detect when a vehicle enters an intersection against a red signal, and snap a photo of the registration plate of the vehicle. A ticket is then sent to the registered owner of the vehicle.

Numerous companies on the Internet sell devices designed to obscure a recorded image of a registration plate, rendering the characters of the plate unreadable. One such device, the “Eliminator,” offers a clear view of the registration plate when seen from behind but blurs the plate when viewed at the elevation at which red light cameras are placed. The latest variant on devices that make a registration plate unreadable are sprays such as “Photo Fog,” which reflects the flash of a camera back at it, overexposing the image and making the characters on a registration plate unreadable. While the “Eliminator” would be covered under current law, “Photo Fog” would not.

State Fiscal Effect: General fund revenues could increase under the bill’s monetary penalty provision for those cases heard in the District Court. The Judiciary advises that in fiscal 2004, only 11 cases were filed for failing to properly maintain and fasten a vehicle registration plate in a visible position; therefore, any increase in revenue would likely be minimal.

Local Fiscal Effect: Local revenues could increase minimally due to more citations being issued to individuals who would otherwise avoid detection through use of products such as “Photo Fog.” However, this effect would probably be minimal, as individuals who are determined to avoid detection by using such products would probably continue to do so even it were illegal. Further, there is some evidence that products such as “Photo Fog” are not always effective; therefore, individuals who were using them before were still likely to be identified by a red light camera.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): WRAL Raleigh-Durham, www.autoplates.com, Department of State Police, Maryland Department of Transportation, Department of Legislative Services

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Analysis by: Nora C. McArdle

Direct Inquiries to:
(410) 946-5510
(301) 970-5510