
By: **Delegate Menes**

Introduced and read first time: February 8, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Identification Numbers - Crimes - Penalties**

3 FOR the purpose of increasing the penalties for removing or falsifying certain
4 identification numbers pertaining to motor vehicles; increasing the penalties for
5 transferring, receiving, or possessing a vehicle or engine knowing that a certain
6 identification number of the vehicle or engine has been removed or falsified;
7 increasing the penalties for removing a certain registration card or plate from a
8 vehicle with a certain intent; increasing the penalties for attaching to a vehicle
9 a certain unauthorized registration plate with a certain intent; prohibiting a
10 person from knowingly possessing a firearm with an altered, obliterated,
11 removed, or changed manufacturer's identification mark or number; providing a
12 certain penalty; and generally relating to crimes and penalties involving
13 identification numbers.

14 BY repealing and reenacting, without amendments,
15 Article - Transportation
16 Section 14-107
17 Annotated Code of Maryland
18 (2002 Replacement Volume and 2005 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Transportation
21 Section 27-101(c) and (f)
22 Annotated Code of Maryland
23 (2002 Replacement Volume and 2005 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article - Public Safety
26 Section 5-142 and 5-143
27 Annotated Code of Maryland
28 (2003 Volume and 2005 Supplement)

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

3 **Article - Transportation**

4 14-107.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) "Identification number" includes any vehicle identification number,
7 serial number, transmission number, federal vehicle certification label, engine
8 number, or other distinguishing number or mark placed on a vehicle or engine:

9 (i) By its manufacturer;

10 (ii) By authority of the Administration; or

11 (iii) In accordance with the laws of the federal government or
12 another state or country.

13 (3) "Remove" includes deface, cover, or destroy.

14 (4) "Falsify" includes alter, counterfeit, duplicate, or forge.

15 (b) A person may not willfully remove any identification number of a vehicle.

16 (c) A person may not willfully falsify any identification number of a vehicle.

17 (d) A person may not willfully remove any identification number of an engine
18 for a vehicle.

19 (e) A person may not willfully falsify any identification number of an engine
20 for a vehicle.

21 (f) Except as provided in subsection (m) of this section, a person may not buy,
22 receive, possess, sell, or dispose of a vehicle, knowing that an identification number of
23 the vehicle has been removed.

24 (g) A person may not buy, receive, possess, sell, or dispose of a vehicle,
25 knowing that an identification number of the vehicle has been falsified.

26 (h) Except as provided in subsection (m) of this section, a person may not buy,
27 receive, possess, sell, or dispose of an engine for a vehicle, knowing that an
28 identification number of the engine has been removed.

29 (i) A person may not buy, receive, possess, sell, or dispose of an engine for a
30 vehicle, knowing that an identification number of the engine has been falsified.

31 (j) A person may not, with intent to conceal or misrepresent the identity of a
32 vehicle or its owner remove a registration card or registration plate from the vehicle.

1 (k) A person may not, with intent to conceal or misrepresent the identity of a
2 vehicle or the owner of the vehicle, attach to the vehicle a registration plate not
3 authorized by law for use on it.

4 (l) An identification number may be:

5 (1) Placed on a vehicle or engine by its manufacturer in the regular
6 course of business; or

7 (2) Placed or restored on a vehicle or engine by authority of the
8 Administration.

9 (m) (1) An insurance company or its insurance producer may buy, receive,
10 and possess a motor vehicle knowing that the identification number of the vehicle has
11 been removed, if the vehicle is the subject of a total loss settlement by the insurance
12 company.

13 (2) An insurance company or its insurance producer may sell or dispose
14 of a motor vehicle knowing that the identification number of the vehicle has been
15 removed, if:

16 (i) The vehicle is the subject of a total loss settlement by the
17 insurance company;

18 (ii) The Administration will not issue a distinguishing number
19 under § 13-106.1 of this article;

20 (iii) The insurance company or its insurance producer determines
21 that the vehicle is not rebuildable; and

22 (iv) The transfer is to a licensed automotive dismantler and recycler
23 or licensed scrap processor.

24 (3) An insurance company or its insurance producer may sell or dispose
25 of a motor vehicle knowing that the identification number of the vehicle has been
26 removed, if:

27 (i) The vehicle is the subject of a total loss settlement by the
28 insurance company;

29 (ii) The Administration will not issue a distinguishing number
30 under § 13-106.1 of this article;

31 (iii) The insurance company or its insurance producer determines
32 that the vehicle is rebuildable;

33 (iv) The transfer is to a licensed dealer, licensed automotive
34 dismantler and recycler, or licensed scrap processor; and

1 (v) The transferee is advised that the vehicle may not be offered for
2 resale to any other person until after the vehicle has been assigned a distinguishing
3 number under § 13-106.1 of this article.

4 27-101.

5 (c) Any person who is convicted of a violation of any of the provisions of the
6 following sections of this article is subject to a fine of not more than \$500 or
7 imprisonment for not more than 2 months or both:

8 (1) § 12-301(c), (d), (e), or (f) ("Special identification cards: Fraud and
9 misrepresentation prohibited");

10 (2) § 14-102 ("Taking or driving vehicle without consent of owner");

11 (3) § 14-104 ("Damaging or tampering with vehicle");

12 (4) [§ 14-107 ("Removed, falsified, or unauthorized identification
13 number or registration card or plate");

14 (5)] § 14-110 ("Altered or forged documents and plates");

15 [(6)] (5) § 15-312 ("Dealers: Prohibited acts - Vehicle sales
16 transactions");

17 [(7)] (6) § 15-313 ("Dealers: Prohibited acts - Advertising practices");

18 [(8)] (7) § 15-314 ("Dealers: Prohibited acts - Violation of licensing
19 laws");

20 [(9)] (8) § 15-411 ("Vehicle salesmen: Prohibited acts");

21 [(10)] (9) § 15-502(c) ("Storage of certain vehicles by unlicensed persons
22 prohibited");

23 [(11)] (10) § 16-113(j) ("Violation of alcohol restriction ordered by a
24 court");

25 [(12)] (11) § 16-301 ("Unlawful application for or use of license");

26 [(13)] (12) § 16-303(h) ("Licenses suspended under certain provisions of
27 Code");

28 [(14)] (13) § 16-303(i) ("Licenses suspended under certain provisions of
29 the traffic laws or regulations of another state");

30 [(15)] (14) § 18-106 ("Unauthorized use of rented motor vehicle");

31 [(16)] (15) § 20-103 ("Driver to remain at scene - Accidents resulting only
32 in damage to attended vehicle or property");

- 1 [(17)] (16) § 20-104 ("Duty to give information and render aid");
- 2 [(18)] (17) § 20-105 ("Duty on striking unattended vehicle or other
3 property");
- 4 [(19)] (18) § 20-108 ("False reports prohibited");
- 5 [(20)] (19) § 21-206 ("Interference with traffic control devices or railroad
6 signs and signals");
- 7 [(21)] (20) As to a pedestrian in a marked crosswalk, § 21-502(a)
8 ("Pedestrians' right-of-way in crosswalks: In general"), if the violation contributes to
9 an accident;
- 10 [(22)] (21) As to another vehicle stopped at a marked crosswalk, §
11 21-502(c) ("Passing of vehicle stopped for pedestrian prohibited"), if the violation
12 contributes to an accident;
- 13 [(23)] (22) Except as provided in subsections (f) and (q) of this section, §
14 21-902(b) ("Driving while impaired by alcohol");
- 15 [(24)] (23) Except as provided in subsections (f) and (q) of this section, §
16 21-902(c) ("Driving while impaired by drugs or drugs and alcohol");
- 17 [(25)] (24) § 21-902.1 ("Driving within 12 hours after arrest"); or
- 18 [(26)] (25) § 27-107(d), (e), (f), or (g) ("Prohibited acts - Ignition interlock
19 systems").
- 20 (f) (1) A person is subject to a fine not exceeding \$500 or imprisonment not
21 exceeding 1 year or both, if the person is convicted of:
- 22 (i) A violation of § 14-103 of this article ("Possession of motor
23 vehicle master key"); [or]
- 24 (II) A VIOLATION OF § 14-107 OF THIS ARTICLE ("REMOVED,
25 FALSIFIED, OR UNAUTHORIZED IDENTIFICATION NUMBER OR REGISTRATION CARD
26 OR PLATE"); OR
- 27 [(ii)] (III) A second or subsequent violation of:
- 28 1. § 16-101 of this article ("Drivers must be licensed"); or
- 29 2. Except as provided in subsection (q) of this section:
- 30 A. § 21-902(b) of this article ("Driving while impaired by
31 alcohol"); or
- 32 B. § 21-902(c) of this article ("Driving while impaired by
33 drugs or drugs and alcohol").

