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By: **Delegate Impallaria**

Introduced and read first time: February 10, 2006

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration - Vehicle Titles - Prompt Issuance Required**

3 FOR the purpose of requiring the Motor Vehicle Administration to issue vehicle  
4 certificates of title promptly and within a certain time period; requiring the  
5 Administration to provide to an applicant for a certificate of title a certain notice  
6 under certain circumstances and within a certain time period; requiring the  
7 Administration to provide to an applicant for a certificate of title a credit or  
8 reimbursement against the vehicle titling fees and taxes owed by the applicant  
9 under certain circumstances; providing for the calculation of the amount of the  
10 credit or reimbursement; limiting the total amount of the credit or  
11 reimbursement; and generally relating to the issuance of vehicle certificates of  
12 title by the Motor Vehicle Administration.

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 13-106  
16 Annotated Code of Maryland  
17 (2002 Replacement Volume and 2005 Supplement)

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

20 **Article - Transportation**

21 13-106.

22 (a) The Administration shall:

23 (1) File each application for a certificate of title that it receives; and

24 (2) [Issue] PROMPTLY ISSUE a certificate of title of the vehicle if:

25 (i) It finds that the applicant is entitled to the certificate of title;

26 and

27 (ii) It has received the required fees.

1 (B) THE ADMINISTRATION SHALL ISSUE EACH CERTIFICATE OF TITLE WITHIN  
2 30 DAYS FROM THE DATE OF THE APPLICATION FOR THE CERTIFICATE OF TITLE.

3 (C) (1) IF A CERTIFICATE OF TITLE IS NOT ISSUED WITHIN 30 DAYS, THE  
4 ADMINISTRATION SHALL PROVIDE A WRITTEN NOTICE TO THE APPLICANT  
5 EXPLAINING THE REASON FOR THE DELAY AND SHALL REIMBURSE OR CREDIT THE  
6 APPLICANT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION.

7 (2) A WRITTEN NOTICE UNDER THIS SUBSECTION:

8 (I) MAY NOT SPECIFY INSUFFICIENT STAFFING AS A REASON FOR  
9 THE DELAY; AND

10 (II) SHALL BE ISSUED TO THE APPLICANT PROMPTLY, AND NOT  
11 LATER THAN 7 CALENDAR DAYS AFTER THE 30-DAY PERIOD DURING WHICH THE  
12 CERTIFICATE OF TITLE SHOULD HAVE BEEN ISSUED.

13 (D) (1) THE ADMINISTRATION SHALL PROVIDE TO THE APPLICANT A  
14 REIMBURSEMENT OR CREDIT AGAINST THE TITLING FEES AND TAXES ASSESSED FOR  
15 THE VEHICLE IN THE AMOUNT OF \$1.00 PER DAY FOR EACH DAY BEYOND THE 30-DAY  
16 PERIOD SPECIFIED IN SUBSECTION (B) OF THIS SECTION THAT THE ADMINISTRATION  
17 FAILS TO ISSUE THE CERTIFICATE OF TITLE OR FAILS TO PROVIDE WRITTEN NOTICE  
18 OF THE REASON FOR THE DELAY.

19 (2) THE AMOUNT OF THE REIMBURSEMENT OR CREDIT SHALL  
20 INCREASE EACH DAY UNTIL BOTH THE CERTIFICATE OF TITLE AND THE NOTICE  
21 EXPLAINING THE DELAY HAVE BEEN ISSUED TO THE APPLICANT AND SHALL  
22 CONTINUE TO INCREASE UNTIL THE LATER TO OCCUR OF THE FOLLOWING:

23 (I) THE DATE THE CERTIFICATE OF TITLE IS ISSUED TO THE  
24 APPLICANT; OR

25 (II) THE DATE THE NOTICE EXPLAINING THE DELAY IS ISSUED TO  
26 THE APPLICANT.

27 (3) THE AMOUNT REIMBURSED OR CREDITED TO THE APPLICANT  
28 UNDER THIS SUBSECTION MAY NOT EXCEED THE TOTAL AMOUNT OF TITLING FEES  
29 AND TAXES ASSESSED FOR THE VEHICLE.

30 [(b)] (E) The Administration shall keep a record of all certificates of title that  
31 it issues, as follows:

32 (1) Under a distinctive title number assigned to the vehicle;

33 (2) Under the vehicle identification number of the vehicle or, if a  
34 distinguishing number has been assigned to it, under the distinguishing number; and

35 (3) Under any other method that the Administration determines.

1 [(c)] (F) Upon receipt with the application for a certificate of title, the  
2 Administration shall maintain a record of the following documents as a part of its  
3 certificate of title records for a motor vehicle:

4 (1) A notice from a dealer under § 14-1502(f)(1) of the Commercial Law  
5 Article;

6 (2) A notice from a manufacturer or factory branch under § 14-1502(f)(2)  
7 of the Commercial Law Article; and

8 (3) A manufacturer's disclosure form provided to the Administration  
9 under § 14-1502(g) of the Commercial Law Article.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2006.