
By: **Senator Stoltzfus**

Introduced and read first time: January 27, 2006

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2006

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Motor Vehicles Operated Exclusively on Islands -**
 3 **Registration**

4 FOR the purpose of ~~establishing a class of~~ including within a certain motor vehicle
 5 registration ~~for class certain~~ motor vehicles that are operated exclusively on
 6 certain islands; ~~establishing a certain fee for a motor vehicle registered under~~
 7 ~~this Act as an island vehicle~~; prohibiting a motor vehicle registered within a
 8 certain registration class as an island vehicle from being operated on a highway
 9 in the State that is not on a certain island; providing that a transfer of a used
 10 vehicle registered, or to be registered, within a certain registration class as an
 11 island vehicle is not subject to certain safety inspection requirements; defining a
 12 certain term; and generally relating to registration of certain vehicles operated
 13 exclusively on certain islands.

14 ~~BY adding to~~
 15 ~~Article - Transportation~~
 16 ~~Section 13-925~~
 17 ~~Annotated Code of Maryland~~
 18 ~~(2002 Replacement Volume and 2005 Supplement)~~

19 BY repealing and reenacting, with amendments,
 20 Article - Transportation
 21 Section 13-935 and 23-106
 22 Annotated Code of Maryland
 23 (2002 Replacement 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 ~~13-925.~~

5 ~~(A) IN THIS SECTION,~~

6 ~~13-935.~~

7 (a) (1) In this section[, "farm] THE FOLLOWING WORDS HAVE THE
8 MEANINGS INDICATED.

9 (2) "FARM area motor vehicle" means a motor vehicle owned by a farmer
10 and operated only on a farm or on a highway within a 10-mile radius of the farm.

11 (3) "ISLAND ~~MOTOR~~ VEHICLE" MEANS A MOTOR VEHICLE, OTHER THAN
12 A GOLF CART, OPERATED EXCLUSIVELY ON AN ISLAND THAT:

13 ~~(1)~~ (I) IS NOT ACCESSIBLE BY A HIGHWAY;

14 ~~(2)~~ (II) DOES NOT HAVE STATE MAINTAINED HIGHWAYS; AND

15 ~~(3)~~ (III) CONTAINS LESS THAN 20 MILES OF HIGHWAYS.

16 ~~(B) IF REGISTERED WITH THE ADMINISTRATION UNDER THIS SECTION,~~
17 ~~EVERY ISLAND MOTOR VEHICLE IS A CLASS S (ISLAND) VEHICLE.~~

18 ~~(C) THE ANNUAL REGISTRATION FEE FOR A CLASS S (ISLAND) VEHICLE IS~~
19 ~~\$2.50.~~

20 (b) If registered with the Administration under this section, every farm area
21 motor vehicle, EVERY ISLAND VEHICLE, and every vehicle that meets the
22 requirements of subsection (d)(1) of this section is a Class K (farm area/ISLAND)
23 vehicle.

24 (c) Except as provided in subsection (d) of this section, for each Class K (farm
25 area/ISLAND) vehicle, the annual registration fee is \$2.50.

26 (d) (1) The Administration may issue a temporary registration under this
27 section to a vehicle, OTHER THAN AN ISLAND VEHICLE, that:

28 (i) Is owned by a resident of another state, or a company operating
29 out of another state, if the individual or company is under contract with a Maryland
30 farmer to conduct seasonal harvesting operations in this State;

31 (ii) Is used to transport perishable commodities directly between a
32 farm and a packing plant for sorting and processing;

1 (iii) Passes a level 1 safety inspection conducted by the Department
2 of State Police; and

3 (iv) Is only operated within a 35-mile radius of the location where
4 the seasonal harvesting operations will occur.

5 (2) A temporary registration issued under this subsection may not be in
6 effect for more than 90 days.

7 (3) The Department of State Police shall establish a weight limitation for
8 vehicles registered under this subsection.

9 (4) A vehicle issued temporary registration under this subsection shall
10 meet the mandatory minimum security requirements of Title 17, Subtitle 1 of this
11 article.

12 (5) A person may not operate a vehicle registered under this subsection
13 unless the person holds a driver's license issued under Title 16 of this article, or a
14 license to drive issued by the state of the person's residence.

15 (6) The Administration may establish a fee for a temporary registration
16 issued under this subsection.

17 ~~(D)~~ (E) A MOTOR AN ISLAND VEHICLE REGISTERED UNDER THIS SECTION
18 MAY NOT BE OPERATED ON A HIGHWAY IN THE STATE THAT IS NOT ON AN ISLAND
19 DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION.

20 23-106.

21 (a) This section does not apply to:

22 (1) Any transfer of a used vehicle to any licensed dealer or to any foreign
23 dealer;

24 (2) Any transfer between:

25 (i) Spouses;

26 (ii) A parent and child; or

27 (iii) Co-owners of the vehicle to be transferred when a co-owner's
28 name is being removed from the title;

29 (3) Any transfer of a used vehicle that is not to be both titled and
30 registered in this State;

31 (4) Any transfer of a used vehicle among any agencies of the State;

32 (5) Any transfer of a used vehicle as described in § 13-503.2 of this
33 article; [or]

1 (6) Any transfer of a used vehicle into a written inter vivos trust in which
2 the transferor is the primary beneficiary; OR

3 (7) ANY TRANSFER OF A USED ISLAND VEHICLE, AS DEFINED IN § 13-935
4 OF THIS ARTICLE, REGISTERED, OR TO BE REGISTERED, AS A ~~CLASS S (ISLAND) CLASS~~
5 K (FARM AREA/ISLAND) VEHICLE.

6 (b) (1) Except as provided in paragraph (4) of this subsection, if any licensed
7 dealer that also is an inspection station transfers any used vehicle, it shall:

8 (i) Prepare and attach an inspection certificate to a window of the
9 vehicle; or

10 (ii) Have an inspection certificate prepared and attached to a
11 window of the vehicle by another inspection station.

12 (2) Except as provided in paragraphs (4) and (5) of this subsection, if any
13 other person transfers a used vehicle, the person shall obtain an inspection certificate
14 from an inspection station. The inspection certificate shall be issued without charge
15 and attached to a window of the vehicle.

16 (3) If a used vehicle is transferred other than by voluntary transfer or is
17 transferred by a political subdivision of the State after that subdivision obtains the
18 vehicle by proceedings pursuant to Title 12 of the Criminal Procedure Article, the
19 transferee shall obtain the inspection certificate from an authorized inspection
20 station. The inspection certificate shall be issued without charge and attached to a
21 window of the vehicle.

22 (4) In the case of a transfer of any used vehicle registered, or to be
23 registered, as a Class E (truck) exceeding three-fourths ton manufacturer's rated
24 capacity, Class F (tractor), Class G (freight trailer or semitrailer), or Class G (dump
25 service semitrailer) vehicle, the transferor or the transferee of the vehicle may obtain
26 the required inspection certificate.

27 (5) In the case of a transfer of any used vehicle registered or to be
28 registered, that is sold for dismantling or rebuilding purposes, the transferor or the
29 transferee of the vehicle may obtain the required inspection certificate.

30 (6) On applying for a certificate of title of the vehicle, the transferee shall
31 remove the inspection certificate from the vehicle and present it to the
32 Administration.

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

