

Department of Legislative Services  
Maryland General Assembly  
2006 Session

FISCAL AND POLICY NOTE

House Bill 886  
Economic Matters

(Delegate Impallaria, *et al.*)

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Commercial Law - Motor Vehicle Liens - Agent

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This bill provides that a person who, with the consent of the owner's agent, has custody of a motor vehicle and who, at the request of the agent, provides a service to or materials for the vehicle, has a lien on the vehicle for any charge incurred (as specified in current law). Under the bill, agent means an individual who has control of the keys to a motor vehicle with the consent of an owner of the vehicle.

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Fiscal Summary

**State Effect:** Assuming that the number of complaints received and the number of liens processed is small, any additional workload could be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** A person who, with the consent of the owner, has custody of a motor vehicle and who, at the request of the owner, provides a service to or materials for the vehicle, has a lien on the vehicle for any charge incurred for any: (1) repair or rebuilding; (2) storage; or (3) tires or other parts or accessories. The lien is created when charges for one of the services giving rise to the lien are incurred. The lien holder may retain possession of the motor vehicle until the charges are paid or the lien is otherwise discharged. Generally, the lien is subordinate to any security interest in the vehicle.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Office of the Attorney General (Consumer Protection Division), Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 27, 2006  
ncs/jr

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