

SENATE BILL 217

R4

(7lr1551)

ENROLLED BILL

— Judicial Proceedings / Environmental Matters —

Introduced by **Senators Astle, Conway, Dyson, Frosh, Middleton, Pinsky, and Zirkin**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Special and Commemorative Registration Plates – ~~Sunset~~**
3 **Provisions**

4 FOR the purpose of repealing the authority of the Motor Vehicle Administration to
5 issue certain special commemorative registration plates for a certain class of
6 vehicles; altering the termination date for the Chesapeake Bay Commemorative
7 License Plate and the special registration plate honoring State agriculture;
8 repealing the termination date for certain provisions related to the design of
9 and the renewal fees for the Chesapeake Bay Commemorative License Plate;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 providing for the termination of a certain provision of this Act; and generally
 2 relating to special and commemorative registration plates for motor vehicles.

3 BY repealing and reenacting, ~~without~~ with amendments,
 4 Article – Transportation
 5 Section 13–618 and ~~13–619.2(a)~~ 13–619.2
 6 Annotated Code of Maryland
 7 (2006 Replacement Volume and 2006 Supplement)

8 BY repealing and reenacting, with amendments,
 9 Chapter 3 of the Acts of the General Assembly of the First Special Session of
 10 1992, as amended by Chapter 91 of the Acts of the General Assembly of
 11 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter
 12 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts
 13 of the General Assembly of 2000, Chapter 34 of the Acts of the General
 14 Assembly of 2002, and Chapter 398 of the Acts of the General Assembly
 15 of 2003
 16 Section 3

17 BY repealing and reenacting, with amendments,
 18 Chapter 251 of the Acts of the General Assembly of 2000, as amended by
 19 Chapter 398 of the Acts of the General Assembly of 2003
 20 Section 3

21 BY repealing and reenacting, with amendments,
 22 Chapter 398 of the Acts of the General Assembly of 2003
 23 Section 3

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

26 **Article – Transportation**

27 13–618.

28 (a) The Administration may issue special commemorative original or
 29 substitute registration plates for any geographical, historical, natural resource, or
 30 environmental commemoration of statewide significance.

31 (b) The owner of a vehicle, or a lessee of the vehicle under a lease not
 32 intended as security, or a director, officer, employee, or partner of a business entity
 33 that owns the vehicle considered eligible by the Administration may apply to the

1 Administration for the assignment of a commemorative registration plate under this
2 section if the vehicle is included in one of the following classes:

3 (1) A Class A (passenger) vehicle;

4 ~~(2) A Class B (for hire) vehicle;~~

5 ~~(3)~~ **(2)** A Class E (truck) vehicle with a manufacturer's rated
6 capacity of one ton or less;

7 ~~(4)~~ **(3)** A Class G (trailer) vehicle; or

8 ~~(5)~~ **(4)** A Class M (multipurpose) vehicle.

9 (c) (1) An original or substitute commemorative plate may only be issued
10 under this section for a fixed period of 2 consecutive years after its initial issuance.

11 (2) The Administration may only issue 1 commemorative plate under
12 this section at any one time.

13 (d) (1) In addition to the annual registration fee otherwise required under
14 this title, an owner of a vehicle assigned a commemorative registration plate under
15 this section shall pay:

16 (i) An additional initial registration fee set by the
17 Administration when the new registration plates are issued to the vehicle under this
18 section; or

19 (ii) An additional renewal fee set by the Administration each
20 time the plate is renewed.

21 (2) (i) The Administration shall set the additional initial
22 registration fee at a level that will enable the Administration to recover its costs under
23 this section.

24 (ii) The Administration may set the additional initial
25 registration fee at a level that is sufficient to result in a surplus after costs are
26 subtracted.

27 (iii) The Administration shall retain a portion of the additional
28 initial registration fee that is sufficient to allow the Administration to recover any
29 costs of issuing and distributing commemorative plates under this section.

1 (iv) Any surplus moneys remaining after the Administration has
2 recovered the costs of issuing a commemorative plate under this section and moneys
3 collected for additional renewal fees may not be retained by or transferred to any
4 agency of the State for any purpose.

5 (v) Notwithstanding subparagraph (iv) of this paragraph, the
6 surplus moneys and moneys collected for additional renewal fees may be retained for
7 the purpose described in paragraph (3) of this subsection.

8 (3) The surplus moneys and moneys collected for additional renewal
9 fees shall be disbursed by the Administration to a nonprofit organization that is:

10 (i) Closely related to the geographical, historical, natural
11 resource, or environmental theme which the plate commemorates; and

12 (ii) Designated by the Administration under subsection (e) of
13 this section.

14 (4) No portion of the additional initial registration or renewal fees may
15 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under
16 § 8–403 or § 8–404 of this article.

17 (e) (1) The Administration shall adopt regulations not inconsistent with
18 the Maryland Vehicle Law to govern the issuance of special registration plates under
19 this section.

20 (2) Before designating any nonprofit organization to receive any
21 surplus moneys or moneys collected for additional renewal fees and before distributing
22 the moneys to any nonprofit organization, the Administration shall adopt regulations
23 specific to each new commemorative plate detailing:

24 (i) The name and nature of the nonprofit organization receiving
25 the money;

26 (ii) The relationship of the nonprofit organization to the
27 geographical, historical, natural resource, or environmental theme which the plate
28 commemorates; and

29 (iii) The plan of distribution of the funds.

30 (3) The Administration shall consult with the nonprofit organization
31 designated to receive moneys under this section to establish a schedule under which

1 the Administration will transfer to the nonprofit organization revenue collected on
2 behalf of the nonprofit organization under this section.

3 (f) The additional fees to the annual registration fee required by this section
4 are not required for special registration of a vehicle that is exempt under § 13-903 of
5 this title, or a vehicle with a special registration plate recognizing:

6 (1) The Maryland National Guard; or

7 (2) A volunteer fire department, volunteer rescue squad, or volunteer
8 ambulance company in this State.

9 (g) (1) A special registration number as specified by the Administration
10 and assigned under this section may consist of:

11 (i) Any combination of:

12 1. Letters; and

13 2. Numerals; and

14 (ii) Any design approved by the Administration that adequately
15 reflects the geographical, historical, natural resource, or environmental theme which
16 the plate commemorates.

17 (2) A special registration number or design assigned under this section
18 shall be displayed on the registration plates for the vehicle.

19 (3) The Administration shall consult with the nonprofit organization
20 designated to receive moneys under this section with respect to any design of the
21 Chesapeake Bay Commemorative License Plate.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
23 read as follows:

24 **Article - Transportation**

25 13-619.2.

26 (a) In consultation with the Maryland Agricultural Education Foundation,
27 Inc. the Administration shall develop and make available for qualifying vehicles a
28 specially designed registration plate honoring Maryland agriculture.

1 **(b)** The owner of a vehicle, or a lessee of the vehicle under a lease not
2 intended as security, or a director, officer, employee, or partner of a business entity
3 that owns the vehicle considered eligible by the Administration may apply to the
4 Administration for an original or substitute registration plate under this section if the
5 vehicle is included in one of the following classes:

6 (1) A Class A (passenger) vehicle;

7 [(2) A Class B (for hire) vehicle;]

8 [(3)] **(2)** A Class E (truck) vehicle with a manufacturer's rated
9 capacity of one ton or less;

10 [(4)] **(3)** A Class E (farm truck) vehicle;

11 [(5)] **(4)** A Class G (trailer) vehicle; or

12 [(6)] **(5)** A Class M (multipurpose) vehicle.

13 **(c)** (1) In addition to the annual registration fee otherwise required under
14 this title, an owner of a vehicle assigned a registration plate under this section shall
15 pay:

16 (i) When initially issued the registration plate, a one-time fee
17 set by the Administration to recover the Administration's costs under this section; and

18 (ii) When initially issued the registration plate, and each time
19 the registration plate is renewed, an additional fee set by the Administration to
20 benefit the Maryland Agricultural Education Foundation, Inc.

21 (2) The additional fee collected under this section is not required for
22 special registration of a vehicle that is exempt under § 13-903 of this title.

23 (3) No portion of the fee collected under this section may be credited to
24 the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or §
25 8-404 of this article.

26 **(d)** The Administration shall consult with the Maryland Agricultural
27 Education Foundation, Inc. on:

28 (1) The design of a registration plate to be issued under this section to
29 honor Maryland agriculture;

1 termination provision specified in Section 3 of Chapter ~~398~~ 251 of the Acts of the
2 General Assembly of ~~2003~~ 2000, as amended by Chapter 398 of the Acts of 2003 and
3 this Act. If that termination provision takes effect, Section 2 of this Act shall be
4 abrogated and of no further force and effect. Section 2 of this Act may not be
5 interpreted to have any effect on that termination provision.

6 SECTION ~~2~~ 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of
7 this Act, this Act shall take effect October 1, 2007.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.