Department of Legislative Services

Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

Senate Bill 491   (Senator Gladden)

Judicial Proceedings

Task Force to Study the Establishment of Periodic Motor Vehicle Safety Inspections

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This bill establishes the Task Force to Study the Establishment of Periodic Motor Vehicle Safety Inspections, staffed by the Motor Vehicle Administration. The task force is charged with considering the positive and negative aspects of such inspections, programs in other states, and costs to the State and the vehicle owner. The task force must make findings and recommendations as to whether requiring periodic motor vehicle inspections would benefit citizens of Maryland and how to implement a periodic motor vehicle safety inspections requirement. A report is due to the Governor and the General Assembly by December 31, 2008.

The bill takes effect June 1, 2008 and terminates December 31, 2008.

Fiscal Summary

State Effect: Any expense reimbursements for task force members are assumed to be minimal and absorbable within existing resources. Staffing could also be provided within existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Generally, if a person transfers a used motor vehicle, the person has to obtain an inspection certificate from an inspection station. The inspection certificate is to be attached to the window of the vehicle. The inspection requirement does not apply to transfers between spouses, parents and children, vehicle co-owners, or vehicles that are not to be both titled and registered in Maryland. The inspection requirement also does not apply to other specialized types of transfers, as specified in statute.

A valid inspection certificate for a used vehicle is required for titling and registration. An inspection certificate is valid from the date of the inspection certificate for a period of 90 days. An inspection certificate issued for a used vehicle owned and held in inventory by a licensed dealer expires at the earlier of six months or after 1,000 miles has been added to the vehicle's odometer since issuance of the inspection certificate.

If a person applies for titling and registration of a used vehicle, MVA may issue a temporary registration and withhold delivery of the certificate of title until an inspection certificate is received. A vehicle with a temporary registration must be inspected within 60 days of the issuance of the temporary registration.

Background: Nineteen states and the District of Columbia require inspections of passenger cars on a periodic basis (Delaware, Hawaii, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, and West Virginia). Inspection fees vary, as does the proportion of the fee kept by the inspection stations for performing inspections.

All these states require annual safety inspections except New Jersey. In the first eight years of ownership, Utah requires safety inspections biennially; thereafter, the inspections are required annually. The District of Columbia also requires inspections on a biennial basis.

Maryland authorizes a law enforcement officer to stop and inspect a vehicle if there is a reasonable suspicion that the vehicle lacks required safety equipment or otherwise appears unsafe. Usually a safety equipment repair order is issued and the motorist is subject to suspension of the vehicle registration for noncompliance.

Additional Information

Prior Introductions: A substantially similar bill, HB 1276 of 2007, passed the House but failed on third reading in the Senate. Similar bills, HB 1257 and SB 562 of 2005, were reported unfavorably.

Cross File: HB 718 (Delegate Malone) – Environmental Matters.

Information Source(s): Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2008
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