

# SENATE BILL 92

Q5

(91r0026)

## ENROLLED BILL

—Budget and Taxation / Ways and Means—

Introduced by **Chair, Budget and Taxation Committee (By Request - Departmental - Comptroller)**

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 **Motor Carriers - Identification Markers - Forged Documents - Criminal**  
3 **Penalties**

4 FOR the purpose of prohibiting a ~~motor carrier~~ person from ~~falsifying, duplicating, or~~  
5 ~~attempting to falsify or duplicate certain~~ knowingly falsifying or using, holding,  
6 possessing, giving away, or selling certain falsified licenses, decals, or other  
7 ~~official documents issued by the Comptroller~~ related documents; prohibiting a  
8 ~~motor carrier~~ person from ~~manufacturing, constructing, or possessing certain~~  
9 ~~paraphernalia; prohibiting a motor carrier from possessing, giving away,~~  
10 ~~selling, or attempting to sell certain items; prohibiting a motor carrier from~~  
11 ~~holding or using~~ attempting to falsify or sell certain licenses or decals licenses,  
12 decals, or related documents ~~that have been falsified or duplicated in violation of~~  
13 ~~this Act~~; specifying certain penalties for certain violations of this Act; defining  
14 certain terms; defining "falsify" for purposes of this Act to include alter,

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#### 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 counterfeit, duplicate, manufacture, construct, or forge; and generally relating  
 2 to the falsification or duplication of certain licenses, decals, or ~~other official~~  
 3 ~~documents issued by the Comptroller~~ related documents.

4 BY adding to  
 5 Article – Tax – General  
 6 Section 9–223 and 13–1020(d)  
 7 Annotated Code of Maryland  
 8 (2004 Replacement Volume and 2008 Supplement)

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

11 **Article – Tax – General**

12 **9–223.**

13 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
 14 MEANINGS INDICATED.

15 (2) “FALSIFY” INCLUDES ALTER, COUNTERFEIT, DUPLICATE,  
 16 MANUFACTURE, CONSTRUCT, OR FORGE.

17 (3) “IFTA IDENTIFICATION MARKER” MEANS ANY LICENSE OR  
 18 DECAL REQUIRED BY LAW TO BE POSSESSED BY A MOTOR CARRIER AND  
 19 DISPLAYED ON A COMMERCIAL MOTOR VEHICLE UNDER THE INTERSTATE  
 20 AGREEMENTS AUTHORIZED BY § 9–205 OF THIS SUBTITLE.

21 ~~(B) A MOTOR CARRIER MAY NOT FALSIFY OR DUPLICATE, OR ATTEMPT~~  
 22 ~~TO FALSIFY OR DUPLICATE, ANY IFTA IDENTIFICATION MARKER OR ANY OTHER~~  
 23 ~~OFFICIAL DOCUMENT ISSUED BY THE COMPTROLLER.~~

24 ~~(C) A MOTOR CARRIER MAY NOT MANUFACTURE, CONSTRUCT, OR~~  
 25 ~~POSSESS ANY PARAPHERNALIA FOR USE IN ANY FALSIFICATION OR~~  
 26 ~~DUPLICATION PROHIBITED BY THIS SECTION.~~

27 ~~(D) A MOTOR CARRIER MAY NOT POSSESS, GIVE AWAY, SELL, OR~~  
 28 ~~ATTEMPT TO SELL ANY ITEM FALSIFIED OR DUPLICATED IN VIOLATION OF THIS~~  
 29 ~~SECTION.~~

30 ~~(E) A MOTOR CARRIER MAY NOT HOLD ANY IFTA IDENTIFICATION~~  
 31 ~~MARKER DESCRIBED IN THIS SECTION THAT HAS BEEN FALSIFIED OR~~  
 32 ~~DUPLICATED IN VIOLATION OF THIS SECTION.~~

1 ~~(F) A MOTOR CARRIER MAY NOT USE ANY FALSIFIED OR DUPLICATED~~  
2 ~~IFTA IDENTIFICATION MARKER DESCRIBED IN THIS SECTION.~~

3 (B) A PERSON MAY NOT KNOWINGLY:

4 (1) FALSIFY ANY IFTA IDENTIFICATION MARKER OR OTHER  
5 OFFICIAL DOCUMENT ISSUED BY THE COMPTROLLER RELATED DOCUMENT;

6 (2) USE, HOLD, POSSESS, GIVE AWAY, OR SELL A FALSIFIED IFTA  
7 IDENTIFICATION MARKER OR OTHER OFFICIAL DOCUMENT ISSUED BY THE  
8 COMPTROLLER RELATED DOCUMENT; OR

9 (3) ATTEMPT TO FALSIFY OR SELL ANY IFTA IDENTIFICATION  
10 MARKER OR OTHER OFFICIAL DOCUMENT ISSUED BY THE COMPTROLLER  
11 RELATED DOCUMENT.

12 13-1020.

13 (D) A MOTOR CARRIER WHO VIOLATES A PROVISION OF § 9-223 OF THIS  
14 ARTICLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A  
15 FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR  
16 BOTH.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2009.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.