

SENATE BILL 92

Q5

9lr0026

(PRE-FILED)

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

Requested: October 1, 2008

Introduced and read first time: January 14, 2009

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Carriers – Identification Markers – Forged Documents – Criminal**
3 **Penalties**

4 FOR the purpose of prohibiting a motor carrier from falsifying, duplicating, or
5 attempting to falsify or duplicate certain licenses, decals, or other official
6 documents issued by the Comptroller; prohibiting a motor carrier from
7 manufacturing, constructing, or possessing certain paraphernalia; prohibiting a
8 motor carrier from possessing, giving away, selling, or attempting to sell certain
9 items; prohibiting a motor carrier from holding or using certain licenses or
10 decals that have been falsified or duplicated in violation of this Act; specifying
11 certain penalties for certain violations of this Act; and generally relating to the
12 falsification or duplication of certain licenses, decals, or other official documents
13 issued by the Comptroller.

14 BY adding to
15 Article – Tax – General
16 Section 9–223 and 13–1020(d)
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2008 Supplement)

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

21 **Article – Tax – General**

22 **9–223.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
24 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) **“FALSIFY” INCLUDES ALTER, COUNTERFEIT, OR FORGE.**

2 (3) **“IFTA IDENTIFICATION MARKER” MEANS ANY LICENSE OR**
3 **DECAL REQUIRED BY LAW TO BE POSSESSED BY A MOTOR CARRIER AND**
4 **DISPLAYED ON A COMMERCIAL MOTOR VEHICLE.**

5 (b) **A MOTOR CARRIER MAY NOT FALSIFY OR DUPLICATE, OR ATTEMPT**
6 **TO FALSIFY OR DUPLICATE, ANY IFTA IDENTIFICATION MARKER OR ANY OTHER**
7 **OFFICIAL DOCUMENT ISSUED BY THE COMPTROLLER.**

8 (c) **A MOTOR CARRIER MAY NOT MANUFACTURE, CONSTRUCT, OR**
9 **POSSESS ANY PARAPHERNALIA FOR USE IN ANY FALSIFICATION OR**
10 **DUPLICATION PROHIBITED BY THIS SECTION.**

11 (d) **A MOTOR CARRIER MAY NOT POSSESS, GIVE AWAY, SELL, OR**
12 **ATTEMPT TO SELL ANY ITEM FALSIFIED OR DUPLICATED IN VIOLATION OF THIS**
13 **SECTION.**

14 (e) **A MOTOR CARRIER MAY NOT HOLD ANY IFTA IDENTIFICATION**
15 **MARKER DESCRIBED IN THIS SECTION THAT HAS BEEN FALSIFIED OR**
16 **DUPLICATED IN VIOLATION OF THIS SECTION.**

17 (f) **A MOTOR CARRIER MAY NOT USE ANY FALSIFIED OR DUPLICATED**
18 **IFTA IDENTIFICATION MARKER DESCRIBED IN THIS SECTION.**

19 13-1020.

20 (d) **A MOTOR CARRIER WHO VIOLATES A PROVISION OF § 9-223 OF THIS**
21 **ARTICLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A**
22 **FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR**
23 **BOTH.**

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