

# HOUSE BILL 1120

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CF SB 788

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By: **Delegate Niemann (Task Force to Study Motor Vehicle Towing Practices)  
and Delegates Beidle, Frush, Gaines, Glenn, Holmes, and Stukes**

Introduced and read first time: February 17, 2010

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 28, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Motor Vehicles – Towing Practices and Procedures**

3 FOR the purpose of establishing a motor vehicle towing and storage lien on a towed  
4 motor vehicle on behalf of the tower for certain towing and storage charges;  
5 prohibiting a motor vehicle towing and storage lienor from selling the motor  
6 vehicle to which the lien is attached under certain circumstances; providing that  
7 a motor vehicle towing and storage lienor may only sell a motor vehicle to which  
8 a lien is attached in a certain manner; requiring a motor vehicle towing and  
9 storage lienor to return certain motor vehicle registration plates to the Motor  
10 Vehicle Administration under certain circumstances; requiring the Motor  
11 Vehicle Administration to provide a receipt for the return of certain motor  
12 vehicle registration plates; establishing certain notice and publication  
13 requirements for the public sale of a towed vehicle; requiring the  
14 Administration to issue a salvage certificate to the purchaser of a vehicle  
15 subject to a motor vehicle towing and storage lien under certain circumstances;  
16 requiring certain motor vehicle towing and storage lienors to file a certain court  
17 action in a certain manner under certain circumstances; requiring the Motor  
18 Vehicle Administration to issue a certificate of title that contains a conspicuous  
19 “salvage” notation under certain circumstances; clarifying the application of  
20 certain security requirements for tow trucks; altering certain security  
21 requirements for tow trucks; altering certain penalties for certain violations  
22 related to tow truck vehicle registration; providing for the statewide application  
23 of certain provisions of law governing the towing or removal of vehicles from  
24 parking lots; altering the content required on certain signage related to the

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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.



1 towing and storage of vehicles; altering the maximum distance that and  
 2 locations to which a vehicle towed from a parking lot may be transported for  
 3 storage, subject to a certain exception; altering certain maximum amounts that  
 4 a person may charge for towing and storing a vehicle under certain  
 5 circumstances; authorizing a tower to charge certain persons for the actual costs  
 6 of providing certain notice; altering the time period within which a tower is  
 7 required to provide certain notice to certain police departments; requiring a  
 8 tower to provide certain notice to certain persons within a certain time period  
 9 after towing a vehicle from a parking lot; requiring a tower to provide certain  
 10 persons with certain itemized costs; requiring a tower to obtain certain  
 11 photographic evidence from the parking lot owner before towing a vehicle from a  
 12 parking lot; prohibiting a tower from towing a vehicle for a certain violation  
 13 within a certain time period; altering the storage facility to which a tower is  
 14 required to transport a towed vehicle; prohibiting the removal of a towed vehicle  
 15 from a certain storage facility for a certain time period; clarifying the required  
 16 opportunity that certain persons must provide for the reclamation of a towed  
 17 vehicle; requiring a tower to release a towed vehicle to certain persons under  
 18 certain circumstances; requiring a storage facility for towed vehicles to accept  
 19 payment in ~~a certain manner~~ certain manners under certain circumstances and  
 20 to make an automatic teller machine available on the ~~premises;~~ premises under  
 21 certain circumstances; requiring a storage facility that is in possession of a  
 22 towed vehicle to make the vehicle available to certain persons for certain  
 23 purposes; altering the persons eligible to seek certain civil damages from a  
 24 tower under certain circumstances; altering certain penalties for certain towing  
 25 violations; establishing certain penalties for violations relating to motor vehicle  
 26 towing and storage liens; making a certain stylistic change; making a certain  
 27 technical correction; altering a certain definition; and generally relating to  
 28 motor vehicle towing practices and procedures.

29 BY repealing and reenacting, with amendments,  
 30 Article – Commercial Law  
 31 Section 16–202(c) and 16–207  
 32 Annotated Code of Maryland  
 33 (2005 Replacement Volume and 2009 Supplement)

34 BY repealing and reenacting, without amendments,  
 35 Article – Commercial Law  
 36 Section 16–206  
 37 Annotated Code of Maryland  
 38 (2005 Replacement Volume and 2009 Supplement)

39 BY repealing and reenacting, with amendments,  
 40 Article – Transportation  
 41 Section 11–152, 13–507, 13–920, 21–10A–01 through 21–10A–06, and 27–101(c)  
 42 Annotated Code of Maryland  
 43 (2009 Replacement Volume and 2009 Supplement)

1 BY repealing and reenacting, without amendments,  
2 Article – Transportation  
3 Section 13–506(c) and 27–101(a) and (b)  
4 Annotated Code of Maryland  
5 (2009 Replacement Volume and 2009 Supplement)

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

8 **Article – Commercial Law**

9 16–202.

10 (c) (1) Any person who, with the consent of the owner, has custody of a  
11 motor vehicle and who, at the request of the owner, provides a service to or materials  
12 for the motor vehicle, has a lien on the motor vehicle for any charge incurred for any:

13 (i) Repair or rebuilding;

14 (ii) Storage; or

15 (iii) Tires or other parts or accessories.

16 (2) A lien is created under this subsection when any charges set out  
17 under paragraph (1) of this subsection giving rise to the lien are incurred.

18 **(3) FOR A MOTOR VEHICLE WITH A GROSS VEHICLE WEIGHT**  
19 **RATING OF 10,000 POUNDS OR LESS, ANY PERSON WHO TOWS OR REMOVES**  
20 **FROM A PARKING LOT MOTOR VEHICLES ON BEHALF OF A PRIVATE PARKING**  
21 **LOT OWNER IN ACCORDANCE WITH TITLE 21, SUBTITLE 10A OF THE**  
22 **TRANSPORTATION ARTICLE HAS A LIEN ON THE MOTOR VEHICLE FOR ANY**  
23 **CHARGE INCURRED FOR THE TOWING AND STORAGE OF, AND PROVIDING ANY**  
24 **REQUIRED NOTICE REGARDING, THAT MOTOR VEHICLE.**

25 16–206.

26 (a) (1) If the owner of property subject to a lien disputes any part of the  
27 charge for which the lien is claimed, he may institute appropriate judicial proceedings.

28 (2) Institution of the proceedings stays execution under the lien until a  
29 final judicial determination of the dispute.

30 (b) (1) If the owner of property subject to a lien disputes any part of the  
31 charge for which the lien is claimed, he immediately may repossess his property by  
32 filing a corporate bond for double the amount of the charge claimed.

1           (2)    The bond shall be filed with and is subject to the approval of the  
2 clerk of the court of the county where the services or materials for which the lien is  
3 claimed were provided.

4           (3)    The bond shall be conditioned on:

5                   (i)    Full payment of the final judgment of the claim, together  
6 with interest;

7                   (ii)   All costs incident to the bringing of suit; and

8                   (iii)   All cost and expenses which result from the enforcement of  
9 the lien and are incurred before the lienor was notified that the bond was filed.

10           (4)    Filing of the bond stays execution under the lien until final judicial  
11 determination of the dispute.

12           (5)    If service of process by a lienor on the owner is returned non est  
13 after filing of a bond, service may be made by publication as in the case of a suit  
14 against a nonresident.

15           (6)    If suit is not instituted by the lienor within six months after the  
16 bond is filed, the bond is discharged.

17 16–207.

18           (a)    **(1) [If] SUBJECT TO SUBSECTION (G) OF THIS SECTION WITH**  
19 **RESPECT TO MOTOR VEHICLE TOWING AND STORAGE LIENS, AND EXCEPT AS**  
20 **PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF** the charges which give rise  
21 to a lien are due and unpaid for 30 days and the lienor is in possession of the property  
22 subject to the lien, the lienor may sell the property to which the lien attaches at public  
23 sale. The sale shall be in a location convenient and accessible to the public and shall be  
24 held between the hours of 10 a.m. and 6 p.m.

25           **(2) A MOTOR VEHICLE TOWING AND STORAGE LIENOR MAY NOT**  
26 **SELL THE MOTOR VEHICLE TO WHICH THE LIEN IS ATTACHED UNLESS ~~THE~~:**

27                   **(I) THE LOCAL JURISDICTION IN WHICH THE MOTOR**  
28 **VEHICLE WAS ACQUIRED LICENSES TOW TRUCK OPERATORS; AND**

29                   **(II) THE LIENOR IS LICENSED FOR THE TOWING AND**  
30 **REMOVAL OF MOTOR VEHICLES BY ~~THE~~ THAT LOCAL JURISDICTION ~~IN WHICH~~**  
31 **THE MOTOR VEHICLE WAS ACQUIRED.**

1           **(3) A MOTOR VEHICLE TOWING AND STORAGE LIENOR MAY ONLY**  
 2 **SELL A MOTOR VEHICLE TO WHICH A LIEN IS ATTACHED THROUGH A LICENSED**  
 3 **DEALER OR AN AUCTIONEER.**

4           **(4) (I) IF A MOTOR VEHICLE TOWING AND STORAGE LIENOR**  
 5 **SELLS A MOTOR VEHICLE TO WHICH A LIEN IS ATTACHED, THE LIENOR SHALL**  
 6 **RETURN ANY REGISTRATION PLATES FOR THE MOTOR VEHICLE IN ITS**  
 7 **POSSESSION TO THE MOTOR VEHICLE ADMINISTRATION.**

8           **(II) THE MOTOR VEHICLE ADMINISTRATION SHALL**  
 9 **PROVIDE THE LIENOR WITH A RECEIPT FOR ANY MOTOR VEHICLE**  
 10 **REGISTRATION PLATES RETURNED UNDER THIS PARAGRAPH.**

11           (b) (1) [The] **SUBJECT TO SUBSECTION (B-1)(1) AND (2) OF THIS**  
 12 **SECTION, THE** lienor shall publish notice of the time, place, and terms of the sale and  
 13 a full description of the property to be sold once a week for the two weeks immediately  
 14 preceding the sale in one or more newspapers of general circulation in the county  
 15 where the sale is to be held.

16           (2) In addition, **EXCEPT AS PROVIDED IN SUBSECTION (B-1)(3) OF**  
 17 **THIS SECTION,** the lienor shall send the notice by registered or certified mail at least  
 18 10 days before the sale to:

19           (i) The owner of the property, all holders of perfected security  
 20 interests in the property and, in the case of a sale of a motor vehicle or mobile home,  
 21 the Motor Vehicle Administration;

22           (ii) The person who incurred the charges which give rise to the  
 23 lien, if the address of the owner is unknown and cannot be ascertained by the exercise  
 24 of reasonable diligence; or

25           (iii) "General delivery" at the post office of the city or county  
 26 where the business of the lienor is located, if the address of both the owner and the  
 27 person who incurred the charges is unknown and cannot be ascertained by the  
 28 exercise of reasonable diligence.

29           **(B-1) FOR A MOTOR VEHICLE TOWING AND STORAGE LIEN:**

30           **(1) NOTICE REQUIRED UNDER SUBSECTION (B)(1) OF THIS**  
 31 **SECTION SHALL INCLUDE THE NAMES OF THE OWNER OF THE MOTOR VEHICLE,**  
 32 **THE INSURER OF RECORD, AND ANY ~~KNOWN~~ PERFECTED SECURED PARTY; AND**

33           **(2) ANY REQUIRED NEWSPAPER PUBLICATION SHALL BE:**

34           **(I) PUBLISHED ONCE A WEEK FOR THE 3 WEEKS**  
 35 **IMMEDIATELY PRECEDING THE PUBLIC SALE; AND**

1                   **(II) PUBLISHED IN A NEWSPAPER OF GENERAL**  
2 **CIRCULATION IN THE COUNTY IN WHICH THE MOTOR VEHICLE WAS ACQUIRED;**

3                   **(3) THE LIENOR ALSO SHALL SEND A NOTICE BY CERTIFIED MAIL,**  
4 **RETURN RECEIPT REQUESTED, AND A NOTICE BY FIRST-CLASS MAIL AT LEAST**  
5 **30 DAYS BEFORE THE PUBLIC SALE TO:**

6                   **(I) THE LAST KNOWN REGISTERED OWNER OF THE MOTOR**  
7 **VEHICLE, THE INSURER OF RECORD, AND EACH SECURED PARTY, AS SHOWN IN**  
8 **THE RECORDS OF THE MOTOR VEHICLE ADMINISTRATION; OR**

9                   **(II) THE PERSON WHO INCURRED THE CHARGES THAT GIVE**  
10 **RISE TO THE LIEN, IF THE ADDRESS OF THE OWNER IS UNKNOWN AND CANNOT**  
11 **BE DETERMINED BY THE EXERCISE OF REASONABLE DILIGENCE.**

12                   **(4) THE NOTICE SHALL:**

13                   **(I) STATE THAT THE MOTOR VEHICLE HAS BEEN TAKEN**  
14 **INTO CUSTODY;**

15                   **(II) DESCRIBE THE YEAR, MAKE, MODEL, AND VEHICLE**  
16 **IDENTIFICATION NUMBER OF THE MOTOR VEHICLE;**

17                   **(III) GIVE THE LOCATION OF THE STORAGE FACILITY WHERE**  
18 **THE MOTOR VEHICLE IS HELD;**

19                   **(IV) INFORM THE OWNER AND ANY SECURED PARTY OF ANY**  
20 **RIGHT TO RECLAIM THE MOTOR VEHICLE WITHIN THE TIME REQUIRED; AND**

21                   **(V) STATE THAT THE FAILURE OF THE OWNER, INSURER OF**  
22 **RECORD, OR SECURED PARTY TO EXERCISE THE RIGHT TO RECLAIM THE MOTOR**  
23 **VEHICLE IN THE TIME REQUIRED MAY RESULT IN A PUBLIC SALE OF THE**  
24 **VEHICLE; AND**

25                   **(5) THE LIENOR SHALL PUBLISH ELECTRONIC NOTICE OF THE**  
26 **PUBLIC SALE ON A WEBSITE DETERMINED BY REGULATIONS OF THE MOTOR**  
27 **VEHICLE ADMINISTRATION.**

28                   (c) If a motor vehicle or mobile home which is subject to a lien is delivered by  
29 the lienor to the possession of a third party for storage, and the charges for storage are  
30 due and unpaid for 30 days or more, the third party holder is deemed to hold a  
31 perfected security interest in the motor vehicle or mobile home notwithstanding §  
32 13-202 of the Transportation Article and may sell the motor vehicle or mobile home in

1 the same manner as the lienor under this section if he has first published and sent  
2 notice as required of the lienor under this subtitle.

3 (d) (1) Except as provided in § 13–110 of the Transportation Article AND  
4 **SUBSECTION (D–1) OF THIS SECTION**, the Motor Vehicle Administration shall issue  
5 a **CERTIFICATE OF** title, free and clear of any lien, to the purchaser of any motor  
6 vehicle or mobile home sold under this section, if the holder of the lien on the motor  
7 vehicle or mobile home submits to the Motor Vehicle Administration a completed  
8 application for a certificate of title with:

9 (i) A copy of the newspaper publication required by subsection  
10 (b) of this section;

11 (ii) A copy of **EACH OF** the registered [or certified letter],  
12 **CERTIFIED, OR FIRST-CLASS LETTERS** required under [subsection] **SUBSECTIONS**  
13 (b) AND **(B–1)** of this section to be sent to holders of perfected security interests in the  
14 motor vehicle or mobile home, **THE INSURER OF RECORD**, and the Motor Vehicle  
15 Administration, and the return card;

16 (iii) A copy of the registered or certified letters required by  
17 subsection (b) of this section to be sent to the owner of the motor vehicle or mobile  
18 home, and the return card;

19 (iv) If applicable, a written statement from the lienor that the  
20 lienor stored the vehicle in accordance with an agreement with an insurer;

21 (v) An auctioneer's receipt;

22 (vi) If applicable, certification by holders of perfected security  
23 interests;

24 (vii) In the case of mobile homes manufactured after 1976 and  
25 motor vehicles, a pencil tracing of the vehicle identification number or a statement  
26 certifying the vehicle identification number; and

27 (viii) Any other reasonable information required in accordance  
28 with regulations adopted by the Administration.

29 (2) The Department of Natural Resources shall issue a title, free and  
30 clear of any liens, to the purchaser of any boat sold under this section.

31 **(D–1) THE MOTOR VEHICLE ADMINISTRATION SHALL ISSUE A SALVAGE**  
32 **CERTIFICATE, FREE AND CLEAR OF ANY LIEN, TO THE PURCHASER OF ANY**  
33 **MOTOR VEHICLE SOLD UNDER THIS SECTION THAT IS SUBJECT TO A MOTOR**  
34 **VEHICLE TOWING AND STORAGE LIEN, IF THE HOLDER OF THE LIEN ON THE**

1 MOTOR VEHICLE SUBMITS TO THE MOTOR VEHICLE ADMINISTRATION A  
2 COMPLETED APPLICATION FOR A SALVAGE CERTIFICATE WITH:

3 (1) THE DOCUMENTS A LIENOR IS REQUIRED TO SUBMIT WITH AN  
4 APPLICATION FOR A CERTIFICATE OF TITLE UNDER SUBSECTION (D)(1)(I)  
5 THROUGH (VI) OF THIS SECTION;

6 (2) A ~~PENCIL TRACING AND PHOTOGRAPH~~ DIGITAL IMAGE OF  
7 THE VEHICLE IDENTIFICATION NUMBER OR A STATEMENT CERTIFYING THE  
8 VEHICLE IDENTIFICATION NUMBER;

9 (3) A COPY OF THE NATIONWIDE VEHICLE HISTORY REPORT;

10 (4) IN THE CASE OF A MOTOR VEHICLE BEING PURCHASED BY A  
11 NONINDIVIDUAL, THE FEDERAL TAX IDENTIFICATION NUMBER OR THE  
12 MARYLAND COMPTROLLER TAX IDENTIFICATION NUMBER;

13 (5) THE DRIVER'S LICENSE OR IDENTIFICATION NUMBER AND  
14 STATE OF ISSUANCE OF THE PERSON APPLYING FOR THE SALVAGE  
15 CERTIFICATE; AND

16 (6) ANY OTHER REASONABLE INFORMATION REQUIRED IN  
17 ACCORDANCE WITH REGULATIONS ADOPTED BY THE MOTOR VEHICLE  
18 ADMINISTRATION.

19 (e) (1) If the notice required under § 16-203(b) of this subtitle was sent,  
20 the proceeds of a sale under this section shall be applied, in the following order, to:

21 (i) The expenses of giving notice and holding the sale, including  
22 reasonable attorney's fees;

23 (ii) Subject to subsection (f) of this section, storage fees of the  
24 third party holder;

25 (iii) The amount of the lien claimed exclusive of any storage fees  
26 except as provided in subsection (f)(2) of this section;

27 (iv) A purchase money security interest; and

28 (v) Any remaining secured parties of record who shall divide the  
29 remaining balance equally if there are insufficient funds to completely satisfy their  
30 respective interests, but not to exceed the amount of a security interest.

31 (2) Except as provided in paragraph (3) of this subsection, if the notice  
32 required under § 16-203(b) of this subtitle was not sent, the proceeds of a sale under  
33 this section shall be applied, in the following order, to:



- 1 (i) A purchase money security interest;
- 2 (ii) All additional holders of perfected security interests in the  
3 property;
- 4 (iii) The expenses of giving notice and holding the sale, including  
5 reasonable attorney's fees;
- 6 (iv) Subject to subsection (f) of this section, storage fees of the  
7 third party holder;
- 8 (v) The amount of the lien claimed exclusive of any storage fees  
9 except as provided in subsection (f)(2) of this section;
- 10 (vi) Any remaining secured parties of record who shall divide the  
11 remaining balance equally if there are insufficient funds to completely satisfy their  
12 respective interest, but not to exceed the amount of a security interest.
- 13 (3) For a motor vehicle lien created under this subtitle, if the notice  
14 required under § 16–203(b) of this subtitle was not sent:
- 15 (i) The proceeds of a sale under this section shall be applied in  
16 the order described in paragraph (1) of this subsection; and
- 17 (ii) The amount of the lien claimed in paragraph (1)(iii) of this  
18 subsection may not include any amount for storage charges incurred or imposed by the  
19 lienor.
- 20 (4) After application of the proceeds in accordance with paragraph (1)  
21 or (2) of this subsection, any remaining balance shall be paid to the owner of the  
22 property.
- 23 (f) (1) **[If] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**  
24 **SUBSECTION, IF** property is stored, storage fees of the third party holder may not  
25 exceed \$5 per day or a total of \$300.
- 26 (2) The exclusion or limitation of any storage fees as provided in  
27 subsections (e)(1)(iii) and (f)(1) of this section does not apply to any person who  
28 conducts auctions as a business in this State, and is required to maintain records  
29 under § 15–113 in the Transportation Article, and that person is also exempt from the  
30 maximum storage fee limits under this subsection.
- 31 (3) The notice requirements of § 16–203(b) of this subtitle do not apply  
32 when:

1 (i) The lienor conducts auctions as a business in this State and  
2 is required to maintain records under § 15–113 of the Transportation Article; and

3 (ii) The lien arises out of that business.

4 (4) FOR A MOTOR VEHICLE WITH A GROSS VEHICLE WEIGHT  
5 RATING OF 10,000 POUNDS OR LESS TOWED IN ACCORDANCE WITH TITLE 21,  
6 SUBTITLE 10A OF THE TRANSPORTATION ARTICLE, THE TOTAL TOWING AND  
7 STORAGE FEES MAY NOT EXCEED \$1,200.

8 (G) FOR A MOTOR VEHICLE TOWING AND STORAGE LIEN ON A MOTOR  
9 VEHICLE THAT ~~IS VALUED AT~~ HAS AN AVERAGE WHOLESALE VALUE OF MORE  
10 THAN \$7,500 \$5,000 AS SHOWN IN A NATIONAL PUBLICATION OF USED MOTOR  
11 VEHICLE VALUES ADOPTED FOR USE BY THE MOTOR VEHICLE  
12 ADMINISTRATION, THE LIENOR SHALL:

13 (1) FILE AN ACTION IN CIRCUIT COURT FOR A DECLARATORY  
14 JUDGMENT TO SELL THE MOTOR VEHICLE AND PROPERLY DISPOSE OF THE  
15 PROCEEDS OF THE SALE; AND

16 (2) PROPERLY JOIN ALL PARTIES IN THE ACTION, INCLUDING  
17 ANY SECURED PARTY AND INSURER OF RECORD.

18 (H) A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION THAT  
19 GOVERN A MOTOR VEHICLE TOWING AND STORAGE LIEN IS SUBJECT TO A FINE  
20 NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

## 21 Article – Transportation

22 11–152.

23 (a) “Salvage” means any vehicle that:

24 (1) Has been damaged by collision, fire, flood, accident, trespass, or  
25 other occurrence to the extent that the cost to repair the vehicle for legal operation on  
26 a highway exceeds 75% of the fair market value of the vehicle prior to sustaining the  
27 damage;

28 (2) Has been acquired by an insurance company as a result of a claim  
29 settlement; [or]

30 (3) Has been acquired by an automotive dismantler and recycler:

31 (i) As an abandoned vehicle, as defined under § 25–201 of this  
32 article; or

1 (ii) For rebuilding or for use as parts only; OR

2 (4) HAS BEEN ACQUIRED AT A PUBLIC SALE IN ACCORDANCE  
3 WITH TITLE 25, SUBTITLE 2 OF THIS ARTICLE OR § 16-207 OF THE  
4 COMMERCIAL LAW ARTICLE.

5 (b) For purposes of this section, a vehicle has not been acquired by an  
6 insurance company if an owner retains possession of the vehicle upon settlement of a  
7 claim concerning the vehicle by the insurance company.

8 13-506.

9 (c) (1) Except as provided in § 13-507(b)(5) of this subtitle, for each  
10 vehicle that is acquired as a result of a claim settlement arising from an accident that  
11 occurred in the State, an insurance company or its authorized agent shall apply:

12 (i) For a salvage certificate on a form provided by the  
13 Administration for a vehicle titled in the State; or

14 (ii) Electronically for a salvage certificate for a vehicle titled in a  
15 foreign jurisdiction.

16 (2) The application under paragraph (1) of this subsection shall be  
17 accompanied by:

18 (i) The certificate of title of the vehicle;

19 (ii) A statement by the insurance company that:

20 1. The cost to repair the vehicle for highway operation is  
21 greater than 75% of the fair market value of the vehicle prior to sustaining the  
22 damage for which the claim was paid and the vehicle is repairable;

23 2. The cost to repair the vehicle for highway operation is  
24 greater than 75% of the fair market value of the vehicle prior to sustaining the  
25 damage for which the claim was paid and the damage to the vehicle is cosmetic only;

26 3. The vehicle is not rebuildable, will be used for parts  
27 only, and is not to be retitled;

28 4. The vehicle has been stolen; or

29 5. The vehicle has sustained flood damage; and

30 (iii) A fee established by the Administration.

1           (3) Subject to the provisions of § 13–507(c)(2) of this subtitle, a salvage  
2 certificate issued under this paragraph shall contain a conspicuous notation by the  
3 Administration that describes which of the statements under paragraph (2)(ii) of this  
4 subsection applies to the vehicle.

5 13–507.

6           (a) (1) An application for a certificate of title of a vehicle for which a  
7 salvage certificate has been issued shall be made by the owner of the vehicle on a form  
8 that the Administration requires.

9           (2) An application under paragraph (1) of this subsection shall be  
10 accompanied by:

11                   (i) Except as provided in subsection (c)(3) of this section, the  
12 salvage certificate for the vehicle;

13                   (ii) A certificate of inspection issued by a county police  
14 department or the Department of State Police; and

15                   (iii) A certificate of inspection as required under Title 23 of this  
16 article.

17           (3) (i) The Administration may establish a fee for an inspection  
18 under paragraph (2)(ii) of this subsection.

19                   (ii) 1. The fees established under this paragraph shall be  
20 collected by the Administration or the Automotive Safety Enforcement Division of the  
21 Department of State Police.

22                               2. The fees collected under this subparagraph shall be  
23 paid to the Automotive Safety Enforcement Division of the Department of State Police  
24 for the purpose of recovering the cost of administering the salvage inspection program  
25 and may not be credited to the Gasoline and Motor Vehicle Revenue Account for  
26 distribution under § 8–403 or § 8–404 of this article.

27           (b) (1) The certificate of title issued by the Administration shall be:

28                   (i) Issued in the name of the applicant; and

29                   (ii) In a form as provided in this subsection.

30           (2) (i) The Administration shall issue a certificate of title that  
31 contains a conspicuous notation that the vehicle is “rebuilt salvage” if the salvage  
32 certificate accompanying the application bears a notation under § 13–506(c)(2)(ii)1 of  
33 this subtitle.

1 (ii) The Administration may not issue a certificate of title for a  
2 vehicle if the salvage certificate for the vehicle bears a notation under §  
3 13-506(c)(2)(ii)3 of this subtitle.

4 (3) The Administration shall issue a certificate of title that contains a  
5 conspicuous notation that the vehicle sustained cosmetic damage if the salvage  
6 certificate accompanying the application bears a notation under § 13-506(c)(2)(ii)2 of  
7 this subtitle.

8 (4) The Administration shall issue a certificate of title that contains a  
9 conspicuous notation that the vehicle is "Flood Damaged" if the salvage certificate  
10 accompanying the application bears a notation under § 13-506(c)(2)(ii)5 of this  
11 subtitle.

12 (5) Except for a flood damaged vehicle, the Administration shall issue  
13 a certificate of title that does not bear a notation or other similar statement under this  
14 section if an insurance company makes a claim settlement on a vehicle that has  
15 sustained damage that costs 75% or less than the fair market value of the vehicle to  
16 repair.

17 **(6) THE ADMINISTRATION SHALL ISSUE A CERTIFICATE OF TITLE**  
18 **THAT CONTAINS A CONSPICUOUS NOTATION THAT THE VEHICLE IS "SALVAGE"**  
19 **IF THE SALVAGE CERTIFICATE ACCOMPANYING THE APPLICATION BEARS A**  
20 **NOTATION UNDER § 13-506(C) OF THIS SUBTITLE.**

21 (c) (1) When an insurance company makes a claim settlement on a  
22 vehicle that has been stolen, the company shall apply for a salvage certificate as  
23 provided in § 13-506(c) of this subtitle.

24 (2) On receipt of an application under this subsection, the  
25 Administration:

26 (i) Shall make the appropriate notation in its records; and

27 (ii) May not issue the salvage certificate until the vehicle is  
28 recovered.

29 (3) When a vehicle that has been stolen is recovered, the  
30 Administration shall:

31 (i) Issue a salvage certificate for the vehicle if the insurance  
32 company submits a certification under § 13-506(c)(2)(ii)1, 2, 3, or 5 of this subtitle; or

33 (ii) Issue a certificate of title in the name of the insurance  
34 company in lieu of a salvage certificate if the insurance company states that the  
35 vehicle has sustained damage, except for flood damage, that costs 75% or less than the  
36 fair market value of the vehicle to repair.

1 (4) The provisions of subsection (b) of this section apply to a certificate  
2 of title issued under this subsection.

3 (5) A vehicle for which a certificate of title was issued under  
4 paragraph (3)(ii) of this subsection is exempt from the vehicle excise tax as provided in  
5 § 13–810(a)(9) of this title.

6 (d) If the Administration receives an application for a certificate of title for a  
7 vehicle accompanied by an ownership document issued by another state containing a  
8 notation under the laws of the issuing state that the vehicle is in a condition that is  
9 substantially similar to a vehicle that is rebuilt salvage under Maryland law, the  
10 certificate of title issued by the Administration shall contain a similar notation.

11 (e) The Administration may adopt regulations to implement this section.

12 13–920.

13 (a) (1) In this section, “tow truck” means a vehicle that:

14 (i) Is a Class E (truck) vehicle that is designed to lift, pull, or  
15 carry a vehicle by a hoist or mechanical apparatus;

16 (ii) Has a manufacturer’s gross vehicle weight rating of 10,000  
17 pounds or more; and

18 (iii) Is equipped as a tow truck or designed as a rollback as  
19 defined in § 11–151.1 of this article.

20 (2) In this section, “tow truck” does not include a truck tractor as  
21 defined in § 11–172 of this article.

22 (b) When registered with the Administration every tow truck as defined in  
23 this section is a Class T vehicle.

24 (c) A tow truck registered under this section may be used to tow vehicles for  
25 repair, storage, or removal from the highway.

26 (d) (1) Subject to the provisions of paragraph (2) of this subsection, for  
27 each vehicle registered under this section, the annual registration fee is based on the  
28 manufacturer’s gross vehicle weight rating as follows:

| 29 | Manufacturer’s Gross Weight | Fee      |
|----|-----------------------------|----------|
| 30 | Rating (in Pounds)          |          |
| 31 | 10,000 (or less) to 26,000  | \$185.00 |
| 32 | More than 26,000            | \$550.00 |

1           (2)   (i)    The annual registration fee for a vehicle registered under  
2 this section that is used for any purpose other than that described in subsection (c) of  
3 this section shall be determined under subparagraph (ii) of this paragraph if the  
4 maximum gross weight of the vehicle or combination of vehicles:

5                           1.   Exceeds 18,000 pounds and the vehicle has a  
6 manufacturer's gross weight rating of 26,000 pounds or less; or

7                           2.   Exceeds 35,000 pounds and the vehicle has a  
8 manufacturer's gross weight rating of more than 26,000 pounds.

9                           (ii)   The annual registration fee shall be the greater of:

10                           1.   The fees set forth in paragraph (1) of this subsection;  
11 or

12                           2.   The fees set forth in § 13-916(b) of this subtitle.

13           (e)    Notwithstanding §§ 24-104.1, 24-108, and 24-109 of this article, a tow  
14 truck registered under this section, while engaged in a tow, may move a vehicle or  
15 vehicle combination on a highway for safety reasons if:

16                           (1)   The tow truck and the vehicle or vehicle combination being towed  
17 comply with all applicable statutory weight and size restrictions under Title 24 of this  
18 article when measured or weighed separately; and

19                           (2)   The vehicle or vehicle combination is being towed by the safest and  
20 shortest practical route possible to the vehicle's destination.

21           (f)    Notwithstanding any other provision of this section, while engaged in  
22 towing, a tow truck registered under this section is subject to:

23                           (1)   Weight restrictions imposed on restricted bridges; and

24                           (2)   All applicable statutory weight and size restrictions under Title 24  
25 of this article while being operated within the limits of Baltimore City, unless the  
26 vehicle is being operated on an interstate highway.

27           (g)    Except for tow trucks operated by dealers, automotive dismantlers and  
28 recyclers, and scrap processors displaying special registration plates issued under this  
29 title, the vehicle shall display a distinctive registration plate as authorized by the  
30 Administration.

31           (h)    A person who registers a tow truck under this section, **INCLUDING A**  
32 **DEALER, AN AUTOMOTIVE DISMANTLER AND RECYCLER, OR A SCRAP**  
33 **PROCESSOR WHO OPERATES A TOW TRUCK IN THIS STATE, or A PERSON WHO**

1 operates a tow truck in this State that is registered under the laws of another state,  
2 shall:

3 (1) Obtain commercial liability insurance in the amount [of at least  
4 \$100,000 per person, \$300,000 per occurrence bodily injury liability, and \$100,000 per  
5 occurrence property damage liability] **REQUIRED BY FEDERAL LAW**; and

6 (2) Provide a federal employer identification number and, if applicable  
7 to the tow truck under federal requirements:

8 (i) A U.S. Department of Transportation motor carrier number;  
9 or

10 (ii) An Interstate Commerce Commission motor carrier  
11 authority number.

12 (i) (1) Except as provided under paragraph (2) of this subsection, a person  
13 may not operate a rollback in combination with a vehicle being towed unless the  
14 rollback is registered as a tow truck.

15 (2) This subsection does not apply to a vehicle that is registered and  
16 operated in accordance with § 13-621 or § 13-622 of this title.

17 (j) (1) This subsection applies only to a vehicle required to be registered  
18 in the State.

19 (2) A person may not operate a tow truck for hire unless the tow truck  
20 is registered under this section.

21 (3) **(I)** A person convicted of operating a tow truck in violation of  
22 this subsection shall be subject to a fine [of up to] **NOT EXCEEDING \$3,000 OR**  
23 **IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.**

24 **(II) A TOW TRUCK THAT IS IMPROPERLY REGISTERED OR**  
25 **UNREGISTERED MAY BE IMPOUNDED.**

26 21-10A-01.

27 (a) In this subtitle, “parking lot” means a privately owned facility consisting  
28 of 3 or more spaces for motor vehicle parking that is:

29 (1) Accessible to the general public; and

30 (2) Intended by the owner of the facility to be used primarily by the  
31 owner’s customers, clientele, residents, lessees, or guests.



1 (b) (1) This subtitle applies only to the towing or removal of vehicles from  
2 parking lots [in Baltimore City or Baltimore County].

3 (2) Nothing in this subtitle prevents a local authority from exercising  
4 any power to adopt ~~ordinances~~ **LOCAL LAWS** or regulations relating to the registration  
5 or licensing of persons engaged in, **OR OTHERWISE REGULATING IN A MORE**  
6 **STRINGENT MANNER,** the parking, towing or removal, or impounding of vehicles.

7 (c) This subtitle does not apply to an abandoned vehicle as defined in §  
8 25–201 of this article.

9 21–10A–02.

10 (a) The owner or operator of a parking lot or the owner's or operator's agent  
11 may not have a vehicle towed or otherwise removed from the parking lot unless the  
12 owner, operator, or agent has placed in conspicuous locations, as described in  
13 subsection (b) of this section, signs that:

14 (1) Are at least 24 inches high and 30 inches wide;

15 (2) Are clearly visible to the driver of a motor vehicle entering or being  
16 parked in the parking lot;

17 (3) State the location to which the vehicle will be towed or removed  
18 **AND THE NAME OF THE TOWING COMPANY;**

19 (4) State [the hours during which the vehicle may be reclaimed] **THAT**  
20 **STATE LAW REQUIRES THAT THE VEHICLE BE AVAILABLE FOR RECLAMATION 24**  
21 **HOURS PER DAY, 7 DAYS PER WEEK;**

22 (5) State the maximum amount that the owner of the vehicle may be  
23 charged for the towing or removal of the vehicle; and

24 (6) Provide the telephone number of a person who can be contacted to  
25 arrange for the reclaiming of the vehicle by its owner or the owner's agent.

26 (b) The signs described in subsection (a) of this section shall be placed to  
27 provide at least 1 sign for every 7,500 square feet of parking space in the parking lot.

28 21–10A–03.

29 (A) ~~[A] SUBJECT TO SUBSECTION (B) OF THIS SECTION,~~ A vehicle may not  
30 be towed or otherwise removed from a parking lot to a location that is ~~more;~~

31 (1) **SUBJECT TO SUBSECTION (B) OF THIS SECTION, MORE** than  
32 **[10] 15** miles from the parking lot; **OR**

1                   **(2) OUTSIDE OF THE STATE.**

2           **(B) A LOCAL JURISDICTION MAY ESTABLISH A MAXIMUM DISTANCE**  
 3 **FROM A PARKING LOT TO A TOWED VEHICLE STORAGE FACILITY THAT IS**  
 4 **DIFFERENT THAN THAT ESTABLISHED UNDER SUBSECTION ~~(A)~~ (A)(1) OF THIS**  
 5 **SECTION.**

6 21-10A-04.

7           **A UNLESS OTHERWISE SET BY LOCAL LAW, A** person who undertakes the  
 8 towing or removal of a vehicle from a parking lot:

9                   (1) May not charge the owner of the ~~vehicle or~~ **VEHICLE**, the owner's  
 10 agent, **THE INSURER OF RECORD, OR ANY SECURED PARTY MORE THAN ~~THE~~**  
 11 **AMOUNT OF:**

12                   (i) ~~[More than twice~~ **TWICE** the amount of the] ~~THE~~ total fees  
 13 normally charged or authorized by the political subdivision for the **PUBLIC SAFETY**  
 14 **impound towing of vehicles; [and]**

15                   (ii) [Except as provided in] **NOTWITHSTANDING § 16-207(f)(1)**  
 16 **of the Commercial Law Article, [more than \$8 per day for storage] THE FEE**  
 17 **NORMALLY CHARGED OR AUTHORIZED BY THE POLITICAL SUBDIVISION FROM**  
 18 **WHICH THE VEHICLE WAS TOWED FOR THE DAILY STORAGE OF IMPOUNDED**  
 19 **VEHICLES;**

20                   (iii) **IF A POLITICAL SUBDIVISION DOES NOT ESTABLISH A**  
 21 **FEE LIMIT FOR THE PUBLIC SAFETY TOWING OR STORAGE OF IMPOUNDED**  
 22 **VEHICLES, ~~\$400~~ \$300 FOR TOWING A VEHICLE AND ~~\$35~~ \$30 PER DAY FOR**  
 23 **VEHICLE STORAGE; AND**

24                   (iv) **THE ACTUAL COST OF PROVIDING NOTICE UNDER THIS**  
 25 **SECTION AND § 16-207 OF THE COMMERCIAL LAW ARTICLE; AND**

26                   (v) **FOR A VEHICLE WITH A GROSS VEHICLE WEIGHT**  
 27 **RATING OF 10,000 POUNDS OR LESS, \$1,200 FOR THE TOTAL OF ALL COSTS**  
 28 **RELATED TO VEHICLE TOWING AND STORAGE;**

29                   (2) Shall notify the police department in the jurisdiction where the  
 30 parking lot is located within [two hours] **1 HOUR** after towing or removing the vehicle  
 31 from the parking lot, and shall provide the following information:

32                   (i) A description of the vehicle including the vehicle's  
 33 registration plate number and vehicle identification number;

- 1 (ii) The date and time the vehicle was towed or removed;
- 2 (iii) The reason the vehicle was towed or removed; and
- 3 (iv) The locations from which and to which the vehicle was  
4 towed or removed;

5 (3) SHALL NOTIFY THE OWNER, ANY SECURED PARTY, AND THE  
6 INSURER OF RECORD BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND  
7 FIRST-CLASS MAIL WITHIN 72 HOURS AFTER TOWING OR REMOVING THE  
8 VEHICLE FROM THE PARKING LOT, AND SHALL PROVIDE THE SAME  
9 INFORMATION REQUIRED IN A NOTICE TO A POLICE DEPARTMENT UNDER ITEM  
10 (2) OF THIS SECTION;

11 (4) SHALL PROVIDE TO THE OWNER, ANY SECURED PARTY, AND  
12 THE INSURER OF RECORD THE ITEMIZED ACTUAL COSTS OF PROVIDING NOTICE  
13 UNDER THIS SECTION AND § 16-207 OF THE COMMERCIAL LAW ARTICLE;

14 (5) Before towing or removing the vehicle, shall have authorization of  
15 the parking lot owner which shall include:

16 (i) The name of the person authorizing the tow or removal;  
17 [and]

18 (ii) A statement that the vehicle is being towed or removed at  
19 the request of the parking lot owner; AND

20 (iii) **PHOTOGRAPHIC EVIDENCE OF THE VIOLATION OR**  
21 **EVENT THAT PRECIPITATED THE TOWING OF THE VEHICLE;**

22 ~~(6)~~ (6) Shall obtain commercial liability insurance in the amount [of at  
23 least \$20,000 per occurrence] **REQUIRED BY FEDERAL LAW** to cover the cost of any  
24 damage to the vehicle resulting from the person's negligence;

25 ~~(7)~~ (7) [Shall obtain a surety bond in the amount of \$20,000 to guarantee  
26 payment of any liability incurred under this subtitle;

27 (6)] May not employ individuals, commonly referred to as "spotters",  
28 whose primary task is to report the presence of unauthorized parked vehicles for the  
29 purposes of towing or removal, and impounding; [and]

30 [(7)] ~~(6)~~ (8) May not pay any remuneration to the owner of the parking  
31 lot; AND

1           ~~(7)~~ **(9)**           MAY NOT TOW A VEHICLE SOLELY FOR A VIOLATION OF  
2 FAILURE TO DISPLAY A VALID CURRENT REGISTRATION UNDER § 13-411 OF  
3 THIS ARTICLE UNTIL 72 HOURS AFTER A NOTICE OF VIOLATION IS PLACED ON  
4 THE VEHICLE.

5 21-10A-05.

6           **(A)**   **[If] SUBJECT TO SUBSECTION (B) OF THIS SECTION, IF** a vehicle is  
7 towed or otherwise removed from a parking lot, the person in possession of the vehicle  
8 **[shall]:**

9           (1)   **[Immediately] SHALL IMMEDIATELY** deliver the vehicle directly  
10 to **[a] THE** storage facility **[customarily used by the person undertaking the towing or**  
11 **removal of the vehicle] STATED ON THE SIGNS POSTED IN ACCORDANCE WITH §**  
12 **21-10A-02 OF THIS SUBTITLE; [and]**

13           (2)   **MAY NOT MOVE THE TOWED VEHICLE FROM THAT STORAGE**  
14 **FACILITY TO ANOTHER STORAGE FACILITY FOR AT LEAST 72 HOURS; AND**

15           (3)   **[Provide] SHALL PROVIDE** the owner of the vehicle or the owner's  
16 agent immediate and continuous opportunity, **24 HOURS PER DAY, 7 DAYS PER**  
17 **WEEK**, from the time the vehicle was received at the storage facility, to retake  
18 possession of the vehicle.

19           **(B) BEFORE A VEHICLE IS REMOVED FROM A PARKING LOT, A TOWER**  
20 **WHO POSSESSES THE VEHICLE SHALL RELEASE THE VEHICLE TO THE OWNER OR**  
21 **AN AGENT OF THE OWNER:**

22           (1)   **IF THE OWNER OR AGENT REQUESTS THAT THE TOWER**  
23 **RELEASE THE VEHICLE;**

24           (2)   **IF THE VEHICLE CAN BE DRIVEN UNDER ITS OWN POWER;**

25           (3)   **WHETHER OR NOT THE VEHICLE HAS BEEN LIFTED OFF THE**  
26 **GROUND; AND**

27           (4)   **IF THE OWNER OR AGENT PAYS A DROP FEE TO THE TOWER IN**  
28 **AN AMOUNT NOT EXCEEDING 50% OF THE COST OF A FULL TOW.**

29           **(C) (1) A STORAGE FACILITY THAT IS IN POSSESSION OF A TOWED**  
30 **VEHICLE SHALL:**

31           ~~(1)~~ **(1) ACCEPT SUBJECT TO PARAGRAPH (2) OF THIS**  
32 **SUBSECTION, ACCEPT** PAYMENT FOR OUTSTANDING TOWING OR STORAGE

1 CHARGES BY CASH OR AT LEAST TWO MAJOR, NATIONALLY RECOGNIZED CREDIT  
 2 CARDS; OR

3 ~~(2)~~ (II) HAVE AN OPERABLE AUTOMATIC TELLER MACHINE  
 4 AVAILABLE ON THE PREMISES.

5 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
 6 PARAGRAPH, IF A STORAGE FACILITY IS UNABLE TO PROCESS A CREDIT CARD  
 7 PAYMENT AND DOES NOT HAVE AN OPERABLE AUTOMATIC TELLER MACHINE ON  
 8 THE PREMISES, THE STORAGE FACILITY SHALL ACCEPT A PERSONAL CHECK AS  
 9 PAYMENT FOR OUTSTANDING TOWING AND STORAGE CHARGES.

10 (II) A STORAGE FACILITY MAY REFUSE TO ACCEPT A  
 11 PERSONAL CHECK AS PAYMENT IF IT IS UNABLE TO PROCESS A CREDIT CARD  
 12 FOR THE PAYMENT BECAUSE USE OF THE CREDIT CARD HAS BEEN DECLINED BY  
 13 THE CREDIT CARD COMPANY.

14 (3) A STORAGE FACILITY THAT IS IN POSSESSION OF A TOWED  
 15 VEHICLE SHALL MAKE THE VEHICLE AVAILABLE TO THE OWNER, THE OWNER'S  
 16 AGENT, THE INSURER OF RECORD, OR A SECURED PARTY, UNDER THE  
 17 SUPERVISION OF THE STORAGE FACILITY, FOR:

18 (I) INSPECTION; OR

19 (II) RETRIEVAL FROM THE VEHICLE OF PERSONAL  
 20 PROPERTY THAT IS NOT ATTACHED TO THE VEHICLE.

21 21-10A-06.

22 Any person who undertakes the towing or removal of a vehicle from a parking  
 23 lot in violation of any provision of this subtitle:

24 (1) Shall be liable for actual damages sustained by any person as a  
 25 direct result of the violation; and

26 (2) Shall be liable to the vehicle owner, **A SECURED PARTY, AN**  
 27 **INSURER, OR A SUCCESSOR IN INTEREST** for triple the amount paid by the owner or  
 28 the owner's agent to retake possession of the vehicle.

29 27-101.

30 (a) It is a misdemeanor for any person to violate any of the provisions of the  
 31 Maryland Vehicle Law unless the violation:

32 (1) Is declared to be a felony by the Maryland Vehicle Law or by any  
 33 other law of this State; or

1           (2) Is punishable by a civil penalty under the applicable provision of  
2 the Maryland Vehicle Law.

3           (b) Except as otherwise provided in this section, any person convicted of a  
4 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is  
5 subject to a fine of not more than \$500.

6           (c) Any person who is convicted of a violation of any of the provisions of the  
7 following sections of this article is subject to a fine of not more than \$500 or  
8 imprisonment for not more than 2 months or both:

9           (1) § 12–301(e) or (f) (“Special identification cards: Unlawful use of  
10 identification card prohibited”);

11           (2) § 14–102 (“Taking or driving vehicle without consent of owner”);

12           (3) § 14–104 (“Damaging or tampering with vehicle”);

13           (4) § 14–107 (“Removed, falsified, or unauthorized identification  
14 number or registration card or plate”);

15           (5) § 14–110 (“Altered or forged documents and plates”);

16           (6) § 15–312 (“Dealers: Prohibited acts – Vehicle sales transactions”);

17           (7) § 15–313 (“Dealers: Prohibited acts – Advertising practices”);

18           (8) § 15–314 (“Dealers: Prohibited acts – Violation of licensing laws”);

19           (9) § 15–411 (“Vehicle salesmen: Prohibited acts”);

20           (10) § 15–502(c) (“Storage of certain vehicles by unlicensed persons  
21 prohibited”);

22           (11) § 16–113(j) (“Violation of alcohol restriction”);

23           (12) § 16–301, except § 16–301(a) or (b) (“Unlawful use of license”);

24           (13) § 16–303(h) (“Licenses suspended under certain provisions of  
25 Code”);

26           (14) § 16–303(i) (“Licenses suspended under certain provisions of the  
27 traffic laws or regulations of another state”);

28           (15) § 18–106 (“Unauthorized use of rented motor vehicle”);

1 (16) § 20–103 (“Driver to remain at scene – Accidents resulting only in  
2 damage to attended vehicle or property”);

3 (17) § 20–104 (“Duty to give information and render aid”);

4 (18) § 20–105 (“Duty on striking unattended vehicle or other property”);

5 (19) § 20–108 (“False reports prohibited”);

6 (20) § 21–206 (“Interference with traffic control devices or railroad  
7 signs and signals”);

8 (21) As to a pedestrian in a marked crosswalk, § 21–502(a)  
9 (“Pedestrians’ right-of-way in crosswalks: In general”), if the violation contributes to  
10 an accident;

11 (22) As to another vehicle stopped at a marked crosswalk, § 21–502(c)  
12 (“Passing of vehicle stopped for pedestrian prohibited”), if the violation contributes to  
13 an accident;

14 (23) Except as provided in subsections (f) and (q) of this section, §  
15 21–902(b) (“Driving while impaired by alcohol”);

16 (24) Except as provided in subsections (f) and (q) of this section, §  
17 21–902(c) (“Driving while impaired by drugs or drugs and alcohol”);

18 (25) § 21–902.1 (“Driving within 12 hours after arrest”); [or]

19 (26) **TITLE 21, SUBTITLE 10A (“TOWING OR REMOVAL OF**  
20 **VEHICLES FROM PARKING LOTS”); OR**

21 **(27) § 27–107(d), (e), (f), or (g) (“Prohibited acts – Ignition interlock**  
22 **systems”).**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.