

SENATE BILL 125

C2

11r0675
CF 11r0673

By: **Senator Gladden**

Introduced and read first time: January 24, 2011

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Used Car Dealers – Sunday Operations**

3 FOR the purpose of authorizing in Baltimore City a used car dealer to sell, barter,
4 deliver, give away, show, or offer for sale a motor vehicle or certificate of title for
5 a motor vehicle on Sunday, instead of Saturday, if the dealer notifies the Motor
6 Vehicle Administration in advance that the dealer intends to conduct business
7 on Sunday, instead of Saturday; and generally relating to Sunday operations of
8 used car dealers in Baltimore City.

9 BY repealing and reenacting, with amendments,
10 Article – Business Regulation
11 Section 18–101
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2010 Supplement)

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

16 **Article – Business Regulation**

17 18–101.

18 (a) (1) This section does not apply to the laws that relate to the sale of
19 alcoholic beverages.

20 (2) This section does not apply in Wicomico County.

21 (b) Subject to this section and § 3–704 of the Labor and Employment Article,
22 a retail or wholesale establishment may do business on Sunday.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) Notwithstanding an agreement to the contrary between a merchant and
2 landlord:

3 (1) the landlord may not directly or indirectly require the merchant to
4 open the merchant's place of business on Sunday; and

5 (2) a landlord may not directly or indirectly cancel or refuse to renew
6 the merchant's lease because the merchant refuses to open the merchant's place of
7 business on Sunday.

8 (d) Except in Howard, Montgomery, and Prince George's counties, and except
9 as provided in [subsection (g)] **SUBSECTIONS (G) AND (H)** of this section, a new or
10 used car dealer may not sell, barter, deliver, give away, show, or offer for sale a motor
11 vehicle or certificate of title for a motor vehicle on Sunday.

12 (e) In Anne Arundel County, a dealer may sell, barter, deliver, give away,
13 show, or offer for sale on Sunday a new or used camping trailer, mobile home, or travel
14 trailer, as those terms are defined in Title 11 of the Transportation Article.

15 (f) A new or used car dealer who violates subsection (d) of this section is
16 guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$10,000.

17 (g) In Anne Arundel County and Worcester County, a dealer may sell, barter,
18 deliver, give away, show, or offer for sale a motorcycle, as defined in § 11-136 of the
19 Transportation Article, or certificate of title for a motorcycle on Sunday.

20 **(H) IN BALTIMORE CITY, A USED CAR DEALER MAY SELL, BARTER,**
21 **DELIVER, GIVE AWAY, SHOW, OR OFFER FOR SALE A MOTOR VEHICLE OR**
22 **CERTIFICATE OF TITLE FOR A MOTOR VEHICLE ON SUNDAY, INSTEAD OF**
23 **SATURDAY, IF THE DEALER NOTIFIES THE MOTOR VEHICLE ADMINISTRATION**
24 **IN ADVANCE THAT THE DEALER INTENDS TO CONDUCT BUSINESS ON SUNDAY,**
25 **INSTEAD OF SATURDAY.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2011.