

HOUSE BILL 94

R4

(2lr0959)

ENROLLED BILL

— *Environmental Matters/Judicial Proceedings* —

Introduced by **Delegates Haddaway–Riccio, Afzali, Anderson, Arora, Aumann, Barkley, Barnes, Barve, Beitzel, Branch, Bromwell, Cane, Clippinger, Conway, Donoghue, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Gaines, George, Gilchrist, Glass, Glenn, Hershey, Hogan, Hubbard, Impallaria, Jacobs, Jameson, Kach, Kaiser, A. Kelly, K. Kelly, Kipke, Krebs, Lafferty, McDermott, McDonough, McHale, McIntosh, McMillan, W. Miller, Murphy, Myers, O'Donnell, Olszewski, Otto, S. Robinson, Rudolph, Schulz, Smigiel, Sophocleus, Stifler, Stocksdales, Vitale, Waldstreicher, Washington, ~~and Wood Wood~~, Costa, McComas, James, F. Turner, A. Miller, and Summers**

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.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Special and Commemorative Registration Plates**

3 FOR the purpose of repealing the authority of the Motor Vehicle Administration to
4 issue certain commemorative registration plates and making certain conforming
5 changes; requiring rather than authorizing the Administration to issue a special
6 Chesapeake Bay Commemorative Registration Plate; requiring the

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 Administration to disburse certain fees to the Chesapeake Bay Trust; requiring
 2 the Administration to consult with the Chesapeake Bay Trust on certain
 3 matters; repealing the termination provision for the Chesapeake Bay
 4 Commemorative Plate Program; repealing the termination provision for the
 5 special registration plate honoring State agriculture; making certain stylistic
 6 and technical changes; and generally relating to special and commemorative
 7 registration plates for motor vehicles.

8 BY repealing and reenacting, with amendments,
 9 Article – Transportation
 10 Section 13–618
 11 Annotated Code of Maryland
 12 (2009 Replacement Volume and 2011 Supplement)

13 BY repealing and reenacting, without amendments,
 14 Article – Transportation
 15 Section 13–619.2
 16 Annotated Code of Maryland
 17 (2009 Replacement Volume and 2011 Supplement)

18 BY repealing

19 Chapter 3 of the Acts of the General Assembly of the First Special Session of
 20 1992, as amended by Chapter 91 of the Acts of the General Assembly of
 21 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter
 22 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts
 23 of the General Assembly of 2000, Chapter 34 of the Acts of the General
 24 Assembly of 2002, Chapter 398 of the Acts of the General Assembly of
 25 2003, and Chapters 135 and 136 of the Acts of the General Assembly of
 26 2007
 27 Section 3

28 BY repealing and reenacting, with amendments,
 29 Chapter 251 of the Acts of the General Assembly of 2000, as amended by
 30 Chapter 398 of the Acts of the General Assembly of 2003 and Chapters
 31 135 and 136 of the Acts of the General Assembly of 2007
 32 Section 3

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

35 **Article – Transportation**

36 13–618.

37 (a) The Administration [may] **SHALL** issue A special [commemorative
 38 original or substitute registration plates for any geographical, historical, natural

1 resource, or environmental commemoration of statewide significance] **CHESAPEAKE**
2 **BAY COMMEMORATIVE REGISTRATION PLATE.**

3 (b) The owner of a vehicle, or a lessee of the vehicle under a lease not
4 intended as security, or a director, officer, employee, or partner of a business entity
5 that owns the vehicle considered eligible by the Administration may apply to the
6 Administration for the assignment of a commemorative registration plate under this
7 section if the vehicle is included in one of the following classes:

8 (1) A Class A (passenger) vehicle;

9 (2) A Class E (truck) vehicle with a manufacturer's rated capacity of
10 one ton or less;

11 (3) A Class G (trailer) vehicle; or

12 (4) A Class M (multipurpose) vehicle.

13 (c) [(1) An original or substitute commemorative plate may only be issued
14 under this section for a fixed period of 2 consecutive years after its initial issuance.

15 (2) The Administration may only issue one commemorative plate
16 under this section at any one time.

17 (d)] (1) In addition to the annual registration fee otherwise required under
18 this title, an owner of a vehicle assigned a commemorative registration plate under
19 this section shall pay:

20 (i) An additional initial registration fee set by the
21 Administration when the new registration plates are issued to the vehicle under this
22 section; or

23 (ii) An additional renewal fee set by the Administration each
24 time the plate is renewed.

25 (2) (i) The Administration shall set the additional initial
26 registration fee at a level that will enable the Administration to recover its costs under
27 this section.

28 (ii) The Administration may set the additional initial
29 registration fee at a level that is sufficient to result in a surplus after costs are
30 subtracted.

31 (iii) The Administration shall retain a portion of the additional
32 initial registration fee that is sufficient to allow the Administration to recover any
33 costs of issuing and distributing commemorative plates under this section.

1 (iv) Any surplus moneys remaining after the Administration has
2 recovered the costs of issuing a commemorative plate under this section and moneys
3 collected for additional renewal fees may not be retained by or transferred to any
4 agency of the State for any purpose.

5 (v) Notwithstanding subparagraph (iv) of this paragraph, the
6 surplus moneys and moneys collected for additional renewal fees [may be retained for
7 the purpose described in paragraph (3) of this subsection] **SHALL BE DISBURSED BY**
8 **THE ADMINISTRATION TO THE CHESAPEAKE BAY TRUST.**

9 (3) [The surplus moneys and moneys collected for additional renewal
10 fees shall be disbursed by the Administration to a nonprofit organization that is:

11 (i) Closely related to the geographical, historical, natural
12 resource, or environmental theme which the plate commemorates; and

13 (ii) Designated by the Administration under subsection (e) of
14 this section.

15 (4) No portion of the additional initial registration or renewal fees may
16 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under
17 § 8-403 or § 8-404 of this article.

18 [(e)] (D) (1) The Administration shall adopt regulations not inconsistent
19 with the Maryland Vehicle Law to govern the issuance of special registration plates
20 under this section, **INCLUDING REGULATIONS DETAILING THE PLAN OF**
21 **DISTRIBUTION OF THE FUNDS.**

22 (2) [Before designating any nonprofit organization to receive any
23 surplus moneys or moneys collected for additional renewal fees and before distributing
24 the moneys to any nonprofit organization, the Administration shall adopt regulations
25 specific to each new commemorative plate detailing:

26 (i) The name and nature of the nonprofit organization receiving
27 the money;

28 (ii) The relationship of the nonprofit organization to the
29 geographical, historical, natural resource, or environmental theme which the plate
30 commemorates; and

31 (iii) The plan of distribution of the funds.

32 (3) The Administration shall consult with the [nonprofit organization
33 designated to receive moneys under this section] **CHESAPEAKE BAY TRUST** to
34 establish a schedule under which the Administration will transfer to the [nonprofit

1 organization] **TRUST** revenue collected on behalf of the [nonprofit organization]
2 **TRUST** under this section.

3 [(f)](E) The additional fees to the annual registration fee required by this
4 section are not required for special registration of a vehicle that is exempt under
5 § 13–903 of this title[, or a vehicle with a special registration plate recognizing:

6 (1) The Maryland National Guard; or

7 (2) A volunteer fire department, volunteer rescue squad, or volunteer
8 ambulance company in this State].

9 [(g)] (F) (1) A **COMMEMORATIVE REGISTRATION PLATE ISSUED**
10 **UNDER THIS SECTION SHALL DISPLAY:**

11 (I) A special registration number [as specified] **ASSIGNED** by
12 the Administration [and assigned under this section] **THAT** may consist of[:

13 (i) Any] **ANY** combination of:

14 1. Letters; and

15 2. Numerals; and

16 (ii) [Any] A design approved by the Administration that
17 adequately reflects the [geographical, historical, natural resource, or environmental]
18 **CHESAPEAKE BAY** theme [which] **THAT** the plate commemorates.

19 (2) [A special registration number or design assigned under this
20 section shall be displayed on the registration plates for the vehicle.

21 (3)] The Administration shall consult with the [nonprofit organization
22 designated to receive moneys under this section] **CHESAPEAKE BAY TRUST** with
23 respect to [any] **THE** design of the Chesapeake Bay Commemorative [License]
24 **REGISTRATION** Plate.

25 13–619.2.

26 (a) In consultation with the Maryland Agricultural Education Foundation,
27 Inc. the Administration shall develop and make available for qualifying vehicles a
28 specially designed registration plate honoring Maryland agriculture.

29 (b) The owner of a vehicle, or a lessee of the vehicle under a lease not
30 intended as security, or a director, officer, employee, or partner of a business entity
31 that owns the vehicle considered eligible by the Administration may apply to the

1 Administration for an original or substitute registration plate under this section if the
2 vehicle is included in one of the following classes:

3 (1) A Class A (passenger) vehicle;

4 (2) A Class E (truck) vehicle with a manufacturer's rated capacity of
5 one ton or less;

6 (3) A Class E (farm truck) vehicle;

7 (4) A Class G (trailer) vehicle; or

8 (5) A Class M (multipurpose) vehicle.

9 (c) (1) In addition to the annual registration fee otherwise required under
10 this title, an owner of a vehicle assigned a registration plate under this section shall
11 pay:

12 (i) When initially issued the registration plate, a onetime fee
13 set by the Administration to recover the Administration's costs under this section; and

14 (ii) When initially issued the registration plate, and each time
15 the registration plate is renewed, an additional fee set by the Administration to
16 benefit the Maryland Agricultural Education Foundation, Inc.

17 (2) The additional fee collected under this section is not required for
18 special registration of a vehicle that is exempt under § 13-903 of this title.

19 (3) No portion of the fee collected under this section may be credited to
20 the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or §
21 8-404 of this article.

22 (d) The Administration shall consult with the Maryland Agricultural
23 Education Foundation, Inc. on:

24 (1) The design of a registration plate to be issued under this section to
25 honor Maryland agriculture;

26 (2) The setting of the fee to be charged under subsection (c)(1)(ii) of
27 this section at a level intended to encourage the purchase of the registration plate
28 issued under this section while providing a continuous revenue source to benefit the
29 Foundation; and

30 (3) A schedule under which the Administration will transfer to the
31 Foundation revenue collected on the Foundation's behalf.

1 (e) The Administration shall adopt regulations to govern the issuance of
2 special registration plates under this section.

3 **Chapter 3 of the Acts of the First Special Session of 1992, as amended by**
4 **Chapter 91 of the Acts of 1994, Chapter 356 of the Acts of 1996, Chapter 141 of**
5 **the Acts of 1998, Chapter 340 of the Acts of 2000, Chapter 34 of the Acts of**
6 **2002, Chapter 398 of the Acts of 2003, and Chapters 135 and 136 of the Acts of**
7 **2007**

8 [SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the
9 provisions of § 13-618(c) of the Transportation Article, the Motor Vehicle
10 Administration shall extend the Chesapeake Bay Commemorative Plate Program until
11 July 1, 2013.]

12 **Chapter 251 of the Acts of 2000, as amended by Chapter 398 of the Acts of**
13 **2003 and Chapters 135 and 136 of the Acts of 2007**

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2000. [It shall remain effective for a period of 13 years and, at the end of June
16 30, 2013, with no further action required by the General Assembly, this Act shall be
17 abrogated and of no further force and effect.]

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.