

# HOUSE BILL 94

R4

2lr0959  
CF SB 20

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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, Stocksdale, Vitale, Waldstreicher, Washington, ~~and Wood Wood~~, Costa, McComas, James, F. Turner, A. Miller, and Summers

Introduced and read first time: January 19, 2012

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 21, 2012

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## 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  
7 Administration to disburse certain fees to the Chesapeake Bay Trust; requiring  
8 the Administration to consult with the Chesapeake Bay Trust on certain  
9 matters; repealing the termination provision for the Chesapeake Bay  
10 Commemorative Plate Program; repealing the termination provision for the  
11 special registration plate honoring State agriculture; making certain stylistic  
12 and technical changes; and generally relating to special and commemorative  
13 registration plates for motor vehicles.

14 BY repealing and reenacting, with amendments,  
15 Article – Transportation

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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 Section 13–618  
 2 Annotated Code of Maryland  
 3 (2009 Replacement Volume and 2011 Supplement)

4 BY repealing and reenacting, without amendments,  
 5 Article – Transportation  
 6 Section 13–619.2  
 7 Annotated Code of Maryland  
 8 (2009 Replacement Volume and 2011 Supplement)

9 BY repealing

10 Chapter 3 of the Acts of the General Assembly of the First Special Session of  
 11 1992, as amended by Chapter 91 of the Acts of the General Assembly of  
 12 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter  
 13 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts  
 14 of the General Assembly of 2000, Chapter 34 of the Acts of the General  
 15 Assembly of 2002, Chapter 398 of the Acts of the General Assembly of  
 16 2003, and Chapters 135 and 136 of the Acts of the General Assembly of  
 17 2007  
 18 Section 3

19 BY repealing and reenacting, with amendments,  
 20 Chapter 251 of the Acts of the General Assembly of 2000, as amended by  
 21 Chapter 398 of the Acts of the General Assembly of 2003 and Chapters  
 22 135 and 136 of the Acts of the General Assembly of 2007  
 23 Section 3

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

26 **Article – Transportation**

27 13–618.

28 (a) The Administration [may] **SHALL** issue A special [commemorative  
 29 original or substitute registration plates for any geographical, historical, natural  
 30 resource, or environmental commemoration of statewide significance] **CHESAPEAKE**  
 31 **BAY COMMEMORATIVE REGISTRATION PLATE.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5                   (ii)   Designated by the Administration under subsection (e) of  
6 this section.

7           (4)]   No portion of the additional initial registration or renewal fees may  
8 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under  
9 § 8–403 or § 8–404 of this article.

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

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

18                           (i)    The name and nature of the nonprofit organization receiving  
19 the money;

20                           (ii)   The relationship of the nonprofit organization to the  
21 geographical, historical, natural resource, or environmental theme which the plate  
22 commemorates; and

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

24           (3)]   The Administration shall consult with the [nonprofit organization  
25 designated to receive moneys under this section] **CHESAPEAKE BAY TRUST** to  
26 establish a schedule under which the Administration will transfer to the [nonprofit  
27 organization] **TRUST** revenue collected on behalf of the [nonprofit organization]  
28 **TRUST** under this section.

29           [(f)]**(E)**    The additional fees to the annual registration fee required by this  
30 section are not required for special registration of a vehicle that is exempt under  
31 § 13–903 of this title[, or a vehicle with a special registration plate recognizing:

32                   (1)    The Maryland National Guard; or

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



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

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

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

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

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

12 (3) No portion of the fee collected under this section may be credited to  
13 the Gasoline and Motor Vehicle Revenue Account for distribution under § 8–403 or §  
14 8–404 of this article.

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

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

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

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

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

27 **Chapter 3 of the Acts of the First Special Session of 1992, as amended by**  
28 **Chapter 91 of the Acts of 1994, Chapter 356 of the Acts of 1996, Chapter 141 of**  
29 **the Acts of 1998, Chapter 340 of the Acts of 2000, Chapter 34 of the Acts of**  
30 **2002, Chapter 398 of the Acts of 2003, and Chapters 135 and 136 of the Acts of**  
31 **2007**

32 **[SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the**  
33 **provisions of § 13–618(c) of the Transportation Article, the Motor Vehicle**  
34 **Administration shall extend the Chesapeake Bay Commemorative Plate Program until**  
35 **July 1, 2013.]**

1 **Chapter 251 of the Acts of 2000, as amended by Chapter 398 of the Acts of**  
2 **2003 and Chapters 135 and 136 of the Acts of 2007**

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 July 1, 2000. [It shall remain effective for a period of 13 years and, at the end of June  
5 30, 2013, with no further action required by the General Assembly, this Act shall be  
6 abrogated and of no further force and effect.]

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.