

## Chapter 647

(House Bill 94)

AN ACT concerning

### Vehicle Laws – Special and Commemorative Registration Plates

FOR the purpose of repealing the authority of the Motor Vehicle Administration to issue certain commemorative registration plates and making certain conforming changes; requiring rather than authorizing the Administration to issue a special Chesapeake Bay Commemorative Registration Plate; requiring the Administration to disburse certain fees to the Chesapeake Bay Trust; requiring the Administration to consult with the Chesapeake Bay Trust on certain matters; repealing the termination provision for the Chesapeake Bay Commemorative Plate Program; repealing the termination provision for the special registration plate honoring State agriculture; making certain stylistic and technical changes; and generally relating to special and commemorative registration plates for motor vehicles.

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

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

BY repealing

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

Section 3

BY repealing and reenacting, with amendments,

Chapter 251 of the Acts of the General Assembly of 2000, as amended by Chapter 398 of the Acts of the General Assembly of 2003 and Chapters 135 and 136 of the Acts of the General Assembly of 2007

Section 3

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

### Article – Transportation

13–618.

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

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

- (1) A Class A (passenger) vehicle;
- (2) A Class E (truck) vehicle with a manufacturer's rated capacity of one ton or less;
- (3) A Class G (trailer) vehicle; or
- (4) A Class M (multipurpose) vehicle.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) [Before designating any nonprofit organization to receive any surplus moneys or moneys collected for additional renewal fees and before distributing

the moneys to any nonprofit organization, the Administration shall adopt regulations specific to each new commemorative plate detailing:

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

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

(iii) The plan of distribution of the funds.

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

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

(1) The Maryland National Guard; or

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

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

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

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

1. Letters; and

2. Numerals; and

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

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

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

13-619.2.

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

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

- (1) A Class A (passenger) vehicle;
- (2) A Class E (truck) vehicle with a manufacturer's rated capacity of one ton or less;
- (3) A Class E (farm truck) vehicle;
- (4) A Class G (trailer) vehicle; or
- (5) A Class M (multipurpose) vehicle.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Approved by the Governor, May 22, 2012.**