

Chapter 211

(House Bill 149)

AN ACT concerning

Mopeds and Motor Scooters – Titling, ~~Registration~~, Insurance, and Required Use of Protective Headgear

FOR the purpose of authorizing a certain insurer to exclude a moped and motor scooter from certain insurance benefits; expanding the pool of vehicles eligible to be covered by the Maryland Automobile Insurance Fund; requiring a moped or motor scooter in the State to be titled ~~and registered~~ by the Motor Vehicle Administration; requiring an owner or prospective owner of a moped or motor scooter to obtain or maintain certain security; ~~requiring an application for the registration of a moped or motor scooter to be submitted electronically; requiring a licensed dealer of mopeds or motor scooters under certain circumstances to obtain a moped or motor scooter registration application from the owner, collect registration fees, and transmit the application and fees in a certain manner within a certain period of time; providing for the registration classification of mopeds and motor scooters; establishing an annual registration fee and surcharge for mopeds and motor scooters~~ requiring an application for a certificate of title for a motor scooter or moped to be submitted electronically; requiring the Administration to issue a permanent decal to the owner of a motor scooter or moped for which a certificate of title is issued; requiring an owner of a motor scooter or moped to display the decal in a certain manner; requiring a decal to display a unique number sequence assigned by the Administration; requiring the Administration to establish a certain fee for the decal and adopt certain regulations; prohibiting a person from operating a motor scooter or moped unless the motor scooter or moped displays the decal in a certain manner; establishing a certain fee for a certificate of title issued for a motor scooter or moped; establishing the criteria for determining the fair market value of a motor scooter or a moped for the purpose of determining the excise tax under certain circumstances; *requiring that an excise tax be imposed for a certificate of title for a moped or motor scooter for which sales and use tax is not collected at the time of purchase; requiring the owner of a motor scooter or moped to certify at the time of titling that the vehicle is covered by a certain security; requiring the operator of a motor scooter or moped to carry evidence of a certain required security when operating the motor scooter or moped;* prohibiting an individual from operating or riding on a moped or motor scooter unless the individual is wearing certain protective headgear and a certain eye-protective device; authorizing the Motor Vehicle Administrator to approve or disapprove certain headgear and eye-protective devices and adopt and enforce certain regulations; requiring the Administrator to publish a certain list; establishing that the failure of certain individuals to wear certain

protective headgear or a certain eye-protective device may not be considered certain evidence or diminish the recovery of certain damages; establishing that certain provisions relating to moped and motor scooter headgear and eye-protective devices do not limit certain liabilities or rights; requiring certain procedures in certain civil proceedings; ~~providing that certain vehicle equipment and inspection requirements do not apply to mopeds and motor scooters;~~ requiring the Motor Vehicle Administration to waive certain fees associated with titling a moped or motor scooter for certain individuals under certain circumstances; altering certain definitions; making certain stylistic changes and technical corrections; and generally relating to mopeds and motor scooters.

BY repealing and reenacting, with amendments,

Article – Insurance
Section 19-505(c) and 20-501
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 11-134.1, 11-134.5, ~~13-809(a)(1) and (3), 13-101.1, 13-402(a)(1), 17-104(a) and (b), 21-1207, 23-101(a), and 23-104, 23-107(a)(1), 23-202(a)(1), and 23-206(a)~~
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section ~~11-135, 11-176, 13-403, 13-954, 13-102, 13-104(a), 13-106, 13-802, 13-809(a)(1), (2), and (3), 13-809(a)(2) and (b)(1), and 22-101(e)(1), 23-101(i)(3), and 23-206.2(e)~~
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation
Section ~~13-939.3~~ 17-104.1, 21-1306.1, and 23-206.2(e) and 21-1306.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Article – Insurance

19-505.

(c) (1) An insurer may exclude from the coverage described in this section benefits for:

(i) an individual, otherwise insured under the policy, who:

1. intentionally causes the motor vehicle accident resulting in the injury for which benefits are claimed;

2. is a nonresident of the State and is injured as a pedestrian in a motor vehicle accident that occurs outside of the State;

3. is injured in a motor vehicle accident while operating or voluntarily riding in a motor vehicle that the individual knows is stolen; or

4. is injured in a motor vehicle accident while committing a felony or while violating § 21-904 of the Transportation Article; or

(ii) the named insured or a family member of the named insured who resides in the named insured's household for an injury that occurs while the named insured or family member is occupying an uninsured motor vehicle owned by:

1. the named insured; or

2. an immediate family member of the named insured who resides in the named insured's household.

(2) In the case of motorcycles, **MOPEDS, OR MOTOR SCOOTERS**, an insurer may:

(i) exclude the economic loss benefits described in this section;

or

(ii) offer the economic loss benefits with deductibles, options, or specific exclusions.

20-501.

(a) In this subtitle, "covered vehicle" means a ~~motor~~ vehicle for which the Fund is required to provide coverage under this subtitle.

(b) "Covered vehicle" includes [an automobile, truck, van, and trailer]:

(1) ANY MOTOR VEHICLE REQUIRED TO BE REGISTERED UNDER TITLE 13 OF THE TRANSPORTATION ARTICLE;

(2) A MOPED; AND

(3) A MOTOR SCOOTER.

[(c) “Covered vehicle” does not include a motorcycle, low speed vehicle, or motorbike.]

Article – Transportation

11-134.1.

“Moped” means a bicycle that:

- (1) Is designed to be operated by human power with the assistance of a motor;
- (2) Is equipped with pedals that mechanically drive the rear wheel or wheels;
- (3) Has two or three wheels, of which one is more than 14 inches in diameter; and
- (4) Has a motor with a rating of 1.5 brake horsepower or less and, if the motor is an internal combustion engine, a capacity of 50 cubic centimeters piston displacement or less.

11-134.5.

- (a) “Motor scooter” means a nonpedal vehicle that:
 - (1) Has a seat for the operator;
 - (2) Has two wheels, of which one is 10 inches or more in diameter;
 - (3) Has a step-through chassis;
 - (4) Has a motor:
 - (i) With a rating of 2.7 brake horsepower or less; or
 - (ii) If the motor is an internal combustion engine, with a capacity of 50 cubic centimeters piston displacement or less; and
 - (5) Is equipped with an automatic transmission.
- (b) “Motor scooter” does not include a vehicle that has been manufactured for off-road use, including a motorcycle and an all-terrain vehicle.

~~11-135.~~

~~(a) [(1)] "Motor vehicle" means [except as provided in subsection (b) of this section,] a vehicle that:~~

~~[(i)] (1) Is self-propelled or propelled by electric power obtained from overhead electrical wires; and~~

~~[(ii)] (2) Is not operated on rails.~~

~~[(2)] (B) "Motor vehicle" includes [a]:~~

~~(1) A low speed vehicle;~~

~~(2) A MOPED; AND~~

~~(3) A MOTOR SCOOTER.~~

~~[(b)] "Motor vehicle" does not include:~~

~~(1) A moped, as defined in § 11-134.1 of this subtitle; or~~

~~(2) A motor scooter, as defined in § 11-134.5 of this subtitle.]~~

~~11-176.~~

~~(a) (1) "Vehicle" means, except as provided in subsection (b) of this section, any device in, on, or by which any individual or property is or might be transported or towed on a highway.~~

~~(2) "Vehicle" includes [a]:~~

~~(I) A low speed vehicle [and an];~~

~~(II) A MOPED;~~

~~(III) A MOTOR SCOOTER; AND~~

~~(IV) AN off-highway recreational vehicle.~~

~~(b) "Vehicle" does not include an electric personal assistive mobility device as defined in § 21-101(j) of this article.~~

~~13-101.1.~~

~~Except as provided in § 13-102 of this subtitle, the owner of each vehicle that is in this State and for which the Administration has not issued a certificate of title shall apply to the Administration for a certificate of title of the vehicle.~~

~~13-402.~~

~~(a) (1) Except as otherwise provided in this section or elsewhere in the Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven on a highway shall be registered under this subtitle.~~

~~13-403.~~

~~(a) (1) Except as provided in paragraph (2) of this subsection, the owner of a vehicle subject to registration under this subtitle shall apply to the Administration for the registration of the vehicle in a manner that the Administration requires.~~

~~(2) The application for registration of a low speed vehicle, A MOPED, OR A MOTOR SCOOTER shall be made by electronic transmission under § 13-610 of this title.~~

~~(b) The application shall contain the information that the Administration reasonably requires to determine if the vehicle is entitled to registration.~~

~~(c) If a licensed dealer holds a low speed vehicle, A MOPED, OR A MOTOR SCOOTER for sale and transfers the vehicle to a person other than another licensed dealer, the dealer shall:~~

~~(1) Obtain from the transferee a completed application;~~

~~(2) Collect all fees required to register the low speed vehicle, MOPED, OR MOTOR SCOOTER under this subtitle; and~~

~~(3) Within 30 days of the date of delivery of the low speed vehicle, MOPED, OR MOTOR SCOOTER, electronically transmit the application and fees in accordance with § 13-610 of this title.~~

~~13-939.3.~~

~~(A) WHEN REGISTERED WITH THE ADMINISTRATION, EVERY MOPED AND MOTOR SCOOTER IS A CLASS S (MOPED/MOTOR SCOOTER) VEHICLE.~~

~~(B) FOR EACH CLASS S (MOPED/MOTOR SCOOTER) VEHICLE, THE ANNUAL REGISTRATION FEE IS \$35.~~

~~13-954.~~

- (a) ~~In this section, "motor vehicle" means a:~~
- ~~(1) Class A (passenger) vehicle;~~
 - ~~(2) Class B (for hire) vehicle;~~
 - ~~(3) Class C (funeral and ambulance) vehicle;~~
 - ~~(4) Class D (motorcycle) vehicle;~~
 - ~~(5) Class E (truck) vehicle;~~
 - ~~(6) Class F (tractor) vehicle;~~
 - ~~(7) Class H (school) vehicle;~~
 - ~~(8) Class J (vanpool) vehicle;~~
 - ~~(9) Class M (multipurpose) vehicle;~~
 - ~~(10) Class P (passenger bus) vehicle;~~
 - ~~(11) Class Q (limousine) vehicle;~~
 - ~~(12) Class R (low speed) vehicle; [or]~~
 - ~~(13) CLASS S (MOPED/MOTOR SCOOTER) VEHICLE; OR~~
 - ~~(14) Vehicle within any other class designated by the Administrator.~~

(b) (1) ~~In addition to the registration fee otherwise required by this title, the owner of any motor vehicle registered under this title shall pay a surcharge of \$13.50 per year for each motor vehicle registered.~~

(2) ~~\$2.50 of the surcharge collected under paragraph (1) of this subsection shall be paid into the Maryland Trauma Physician Services Fund established under § 19-130 of the Health General Article.~~

~~17-104.~~

(a) ~~The Administration may not issue or transfer the registration of a motor vehicle unless the owner or prospective owner of the vehicle furnishes evidence satisfactory to the Administration that the required security is in effect.~~

~~(b) The owner of a motor vehicle that is required to be registered in this State shall maintain the required security for the vehicle during the registration period.~~

13-102.

A certificate of title is not required for:

(1) A vehicle owned and used by the United States, unless it is registered in this State;

(2) A new vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration or used as allowed under § 13-621 of this title;

(3) A vehicle used by a manufacturer only for testing;

(4) A vehicle owned by a nonresident of this State and not required by law to be registered in this State;

(5) A vehicle regularly engaged in the interstate transportation of people or property and for which a currently effective certificate of title has been issued in another state;

(6) A vehicle moved only by human or animal power;

(7) A bicycle, **EXCEPT FOR A MOPED**;

(8) A vehicle in which interest has passed to a secured party on default of the owner;

(9) Farm equipment;

(10) Special mobile equipment;

(11) A self-propelled invalid:

(i) Wheelchair; or

(ii) Tricycle;

(12) A trailer, other than a camping trailer, rated by the manufacturer as having a gross vehicle weight of 2,500 pounds or less; or

(13) An off-highway recreational vehicle purchased before October 1, 2010.

13-104.

(a) (1) The application for a certificate of title of a vehicle shall be made by the owner of the vehicle on the form that the Administration requires.

(2) Notwithstanding any other provision of this title, an application for a certificate of title of an off-highway recreational vehicle, A MOTOR SCOOTER, OR A MOPED shall be made by electronic transmission under § 13-610 of this title.

(3) THE OWNER OF A MOTOR SCOOTER OR MOPED SHALL CERTIFY AT THE TIME OF TITLING THAT THE MOTOR SCOOTER OR MOPED IS COVERED BY THE REQUIRED SECURITY DESCRIBED IN § 17-103 OF THIS ARTICLE.

13-106.

(a) The Administration shall:

(1) File each application for a certificate of title that it receives; and

(2) Issue a certificate of title of the vehicle if:

(i) It finds that the applicant is entitled to the certificate of title; and

(ii) It has received the required fees.

(b) The Administration shall keep a record of all certificates of title that it issues, as follows:

(1) Under a distinctive title number assigned to the vehicle;

(2) Under the vehicle identification number of the vehicle or, if a distinguishing number has been assigned to it, under the distinguishing number; and

(3) Under any other method that the Administration determines.

(c) Upon receipt with the application for a certificate of title, the Administration shall maintain a record of the following documents as a part of its certificate of title records for a motor vehicle:

(1) A notice from a dealer under § 14-1502(f)(1) of the Commercial Law Article;

(2) A notice from a manufacturer or factory branch under § 14-1502(f)(2) of the Commercial Law Article; and

(3) A manufacturer's disclosure form provided to the Administration under § 14-1502(g) of the Commercial Law Article.

(D) (1) THE ADMINISTRATION SHALL ISSUE A PERMANENT DECAL TO THE OWNER OF A MOTOR SCOOTER OR MOPED FOR WHICH A CERTIFICATE OF TITLE IS ISSUED.

(2) AN OWNER OF A MOTOR SCOOTER OR MOPED FOR WHICH A CERTIFICATE OF TITLE IS ISSUED SHALL DISPLAY THE DECAL ON THE VEHICLE AS PRESCRIBED BY THE ADMINISTRATION.

(3) A DECAL SHALL DISPLAY A UNIQUE NUMBER SEQUENCE ASSIGNED BY THE ADMINISTRATION.

(4) THE ADMINISTRATION:

(I) SHALL ESTABLISH A FEE OF \$5 FOR A DECAL; AND

(II) MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

13-802.

(a) Except as provided in subsection (b) of this section and § 13-805 of this subtitle, the fee for each certificate of title issued under this title is \$100.

(b) (1) For fiscal years 2012 through 2014 only, the fee for each certificate of title issued for a rental vehicle is \$50.

(2) THE FEE FOR EACH CERTIFICATE OF TITLE ISSUED FOR A MOTOR SCOOTER OR A MOPED IS \$20.

13-809.

(a) (1) In this section the following words have the meanings indicated.

(2) "Fair market value" means:

(i) As to the sale of any new or used vehicle by a licensed dealer, the total purchase price, as certified by the dealer;

(ii) Except as provided in item (iv) of this paragraph, as to a used vehicle that is sold by any person other than a licensed dealer and that has a designated model year that is 7 years old or older, the greater of:

1. The total purchase price; or
2. \$640;

(iii) Except as provided in item (iv) of this paragraph, as to any other used vehicle that is sold by any person other than a licensed dealer:

1. The total purchase price, if the total purchase price is less than \$500 below the retail value of the vehicle as shown in a national publication of used car values adopted for use by the Department; or

2. If the total purchase price is \$500 or more below the retail value of the vehicle as shown in a national publication of used car values adopted for use by the Department:

A. The total purchase price, if verified to the satisfaction of the Administration by a notarized bill of sale submitted in accordance with subsection (d)(2) of this section; or

B. The valuation shown in the national publication of used car values, if the Administration finds that the documentation submitted under subsection (d)(2) of this section fails to verify the total purchase price;

(iv) As to a used trailer, A MOTOR SCOOTER, A MOPED, or AN off-highway recreational vehicle that is sold by any person other than a licensed dealer, the greater of:

1. The total purchase price; or
2. \$320; and

(v) In any other case, the valuation shown in a national publication of used car values adopted for use by the Department.

(3) (i) Subject to subparagraph (ii) of this paragraph, "total purchase price" means the price of a vehicle agreed on by the buyer and the seller, including any dealer processing charge, less an allowance for trade-in but with no allowance for other nonmonetary consideration.

(ii) As to a person trading in a nonleased vehicle to enter into a lease for a period of more than 180 consecutive days, "total purchase price" means the retail value of the vehicle as certified by the dealer, including any dealer processing

charge, less an allowance for the trade-in of the nonleased vehicle but with no allowance for other nonmonetary consideration.

(b) (1) Except as otherwise provided in this part, in addition to any other charge required by the Maryland Vehicle Law, an excise tax is imposed:

*(i) For each original and each subsequent certificate of title issued in this State for a motor vehicle, a trailer, a semitrailer, **A MOPED, A MOTOR SCOOTER**, or an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; and*

(ii) Except as provided in paragraph (2) of this subsection, for each motor vehicle, trailer, or semitrailer that is in interstate operation and registered under § 13-109(c) or (d) of this title without a certificate of title.

17-104.1.

THE ~~OWNER~~ OPERATOR OF A MOPED OR MOTOR SCOOTER SHALL CARRY EVIDENCE OF THE REQUIRED SECURITY WHEN OPERATING THE MOPED OR MOTOR SCOOTER.

21-1207.

(a) (1) If a bicycle or a motor scooter is used on a highway at any time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet, the bicycle or motor scooter shall be equipped:

(i) On the front, with a lamp that emits a white light visible from a distance of at least 500 feet to the front; and

(ii) On the rear, with a red reflector of a type approved by the Administration and visible from all distances from 600 feet to 100 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle.

(2) A bicycle or bicyclist may be equipped with a functioning lamp that acts as a reflector and emits a red light or a flashing amber light visible from a distance of 500 feet to the rear instead of or in addition to the red reflector required by paragraph (1) of this subsection.

(b) Subject to subsection (c) of this section, a person may operate a bicycle or a motor scooter that is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet.

(c) A bicycle or motor scooter may not be equipped with nor may any person use on a bicycle any siren or whistle.

(d) Every bicycle and motor scooter shall be equipped with a braking system capable of stopping from a speed of 10 miles per hour within 15 feet on dry, level, clean pavement.

21-1306.1.

(A) THIS SECTION DOES NOT APPLY TO ANY INDIVIDUAL RIDING IN AN ENCLOSED CAB.

(B) AN INDIVIDUAL MAY NOT OPERATE OR RIDE ON A MOPEL OR MOTOR SCOOTER UNLESS THE INDIVIDUAL IS WEARING PROTECTIVE HEADGEAR THAT MEETS THE STANDARDS ~~ESTABLISHED BY THE ADMINISTRATOR~~ PROVIDED UNDER 49 C.F.R § 571.218.

(C) AN INDIVIDUAL MAY NOT OPERATE A MOPEL OR MOTOR SCOOTER UNLESS:

(1) THE INDIVIDUAL IS WEARING AN EYE-PROTECTIVE DEVICE OF A TYPE APPROVED BY THE ADMINISTRATOR; OR

(2) THE MOPEL OR MOTOR SCOOTER IS EQUIPPED WITH A WINDSCREEN.

(D) THE ADMINISTRATOR:

(1) MAY APPROVE OR DISAPPROVE PROTECTIVE HEADGEAR AND EYE-PROTECTIVE DEVICES REQUIRED BY THIS SECTION;

(2) MAY ADOPT AND ENFORCE REGULATIONS ESTABLISHING STANDARDS AND SPECIFICATIONS FOR THE APPROVAL OF PROTECTIVE HEADGEAR AND EYE-PROTECTIVE DEVICES; AND

(3) SHALL PUBLISH LISTS OF ALL PROTECTIVE HEADGEAR AND EYE-PROTECTIVE DEVICES THAT THE ADMINISTRATOR APPROVES, BY NAME AND TYPE.

(E) (1) THE FAILURE OF AN INDIVIDUAL TO WEAR PROTECTIVE HEADGEAR REQUIRED UNDER SUBSECTION (B) OF THIS SECTION MAY NOT:

(I) BE CONSIDERED EVIDENCE OF NEGLIGENCE;

(II) BE CONSIDERED EVIDENCE OF CONTRIBUTORY NEGLIGENCE;

(III) LIMIT LIABILITY OF A PARTY OR AN INSURER; OR

(IV) DIMINISH RECOVERY FOR DAMAGES ARISING OUT OF THE OWNERSHIP, MAINTENANCE, OR OPERATION OF A MOPED OR MOTOR SCOOTER.

(2) SUBJECT TO THE PROVISIONS OF PARAGRAPH (3) OF THIS SUBSECTION, A PARTY, WITNESS, OR COUNSEL MAY NOT MAKE REFERENCE TO PROTECTIVE HEADGEAR DURING A TRIAL OF A CIVIL ACTION THAT INVOLVES PROPERTY DAMAGE, PERSONAL INJURY, OR DEATH IF THE DAMAGE, INJURY, OR DEATH IS NOT RELATED TO THE DESIGN, MANUFACTURE, SUPPLYING, OR REPAIR OF PROTECTIVE HEADGEAR.

(3) (I) NOTHING CONTAINED IN THIS SUBSECTION MAY BE CONSTRUED TO PROHIBIT THE RIGHT OF A PERSON TO INSTITUTE A CIVIL ACTION FOR DAMAGES AGAINST A DEALER, MANUFACTURER, DISTRIBUTOR, FACTORY BRANCH, OR OTHER APPROPRIATE ENTITY OR PERSON ARISING OUT OF AN INCIDENT THAT INVOLVES PROTECTIVE HEADGEAR ALLEGED TO BE DEFECTIVELY DESIGNED, MANUFACTURED, OR REPAIRED.

(II) IN A CIVIL ACTION DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN WHICH TWO OR MORE PARTIES ARE NAMED AS JOINT TORT-FEASORS, INTERPLEADED AS DEFENDANTS, OR IMPEADED AS DEFENDANTS, AND AT LEAST ONE OF THE JOINT TORT-FEASORS OR DEFENDANTS IS NOT INVOLVED IN THE DESIGN, MANUFACTURE, SUPPLYING, OR REPAIR OF PROTECTIVE HEADGEAR, A COURT SHALL ORDER ON A MOTION OF ANY PARTY SEPARATE TRIALS TO ACCOMPLISH THE ENDS OF JUSTICE.

22-101.

(e) (1) The provisions of this title with respect to equipment on vehicles do not apply to farm equipment, road machinery, road rollers, [or] farm tractors, MOPEDS, OR MOTOR SCOOTERS, except as made applicable in this title.

~~23-101.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(i) (3) "Vehicle" does not include any Class I (historic) vehicle, CLASS S (MOPED/MOTOR SCOOTER) VEHICLE, or [any] trailer which is a mobile home as defined by § 11-134 of this article.~~

23-104.

(a) Every vehicle driven on the highways in this State shall, where applicable, have the following equipment, meeting or exceeding the standards established jointly by the Administration and the Division: brakes, steering, suspension, horn, door handles, mirrors, tires, exhaust system, lights, glazing, windshield wipers, odometer, speedometer, bumpers, properly aligned wheels, wheels and wheel lugs, fenders, floor pans, hood, hood catches, emissions equipment, fuel system, front seat, motor mounts, gear selection indicator for automatic transmissions, universal joints, and seat belts or combination seat belt-shoulder harness if required as original equipment under § 22-412 or § 22-412.1 of this article.

(b) (1) The Administration and the Division jointly may establish standards by rule or regulation for this equipment.

(2) The Administration and the Division shall adopt, consistent with federal law, regulations establishing equipment, performance, and other technical standards for low speed vehicles.

~~23-107.~~

~~(a) (1) Before the Administration titles and registers any used vehicle, it shall require the applicant to present a valid inspection certificate for the vehicle.~~

~~23-202.~~

~~(a) (1) Subject to subsection (d) of this section, the Administration and the Secretary shall establish an emissions control program in the State in accordance with the federal Clean Air Act.~~

~~23-206.~~

~~(a) An owner of a motor vehicle that is registered in this State shall have the vehicle inspected and tested as required under this subtitle.~~

~~23-206.2.~~

~~(C) A MOPED OR MOTOR SCOOTER IS EXEMPT FROM THE MANDATORY INSPECTIONS REQUIRED BY THIS SUBTITLE.~~

~~[(c)] (D) The Administrator may adopt regulations as necessary to administer or enforce the provisions of this section.~~

SECTION 2. AND BE IT FURTHER ENACTED, That, except for the decal fee established under this Act, the Motor Vehicle Administration shall waive all fees associated with titling a moped or motor scooter for an individual who owned the

moped or motor scooter on the effective date of this Act and titles the vehicle on or before October 1, 2013.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 2, 2012.