

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 577 (Delegate Elliott, *et al.*)
Environmental Matters

Vehicle Laws - Registration Plates - Vehicle Manufactured Without Means to Display Front Plate

This bill establishes an exception from the requirement to display a front registration plate that applies to vehicles manufactured without a means to secure and display the front plate. For such vehicles, the registration plate not attached to the rear of the vehicle must be easily accessible within the vehicle.

Fiscal Summary

State Effect: General fund revenues decrease due to a reduction in the number of penalties collected for driving with only one registration plate displayed. Maryland Transportation Authority (MDTA) nonbudgeted revenues decrease, likely minimally, to the extent that some vehicles that illegally pass through an MDTA toll facility cannot be identified with one fewer plate affixed to the exterior of the vehicle. Expenditures are not affected.

Local Effect: Enforcement can be handled with existing resources.

Small Business Effect: Minimal.

Analysis

Current Law: All vehicles are required to display two registration plates, unless they are a Class D (motorcycle), Class F (tractor), and Class G (trailer) vehicle. Class F vehicles are required to display the registration plate on the front of the vehicle.

For historic and antique vehicles, the registration plates must be displayed in the places provided on the vehicle. In addition, only one plate is required for vehicles with temporary registration.

Background: Because a number of states do not require the display of two license plates on vehicles, some manufacturers provide brackets or other means of affixing registration plates to dealers or vehicle owners rather than incorporating permanent features for placement of registration plates, such as an indentation to the bumper. However, older vehicles and some current year models have been designed without a registration plate incorporated in the design and without additional parts available from the manufacturer to attach registration plates. The owners of such vehicles may be required to purchase additional after-market parts from third-party automotive suppliers, if available, or attach the registration plate without automotive parts designed for this purpose.

According to the National Conference of State Legislatures, 19 states, including Delaware, Pennsylvania, and West Virginia, allow one registration plate to be issued. The remaining 31 states and the District of Columbia require two plates. Several states only require one plate for certain types of vehicles such as motorcycles, trailers, or all-terrain vehicles.

State Fiscal Effect: General fund penalty revenues decrease as a result of fewer penalties collected for violating the requirement to display two registration plates on a nonexempt vehicle. A reliable estimate of this decrease in revenues cannot be made due to uncertainty regarding the number of vehicles in Maryland that cannot display a front registration plate, as well as uncertainty regarding how the bill is interpreted. It is unclear whether the bill's exemption applies to vehicles that can affix a registration plate with the use of a bracket or other after-market accessory. If the bill's exemption is applied in this manner, then very few vehicles likely qualify for the exemption, in which case many drivers continue to be penalized for failing to display two registration plates. However, if the bill intends to exempt any vehicle that is *sold* without a bracket or other means to *immediately* affix a registration plate, regardless of the availability of accessories for later sale, then the exemption applies broadly and few penalties are collected for failing to display two registration plates.

In fiscal 2012, there were 16,725 citations for failure to display two registration plates. While many of these citations resulted in a trial or have not yet been resolved, 10,000 of these citations resulted in the collection of a prepaid fine of \$70, for a total of \$700,000 in prepaid fines in fiscal 2012. Thus, if many vehicles are subject to the bill's exemption, then general fund revenues may decrease significantly. However, it should be noted that other reasons exist as to why a vehicle does not display two registration plates and, therefore, it is not reasonable to assume that all of the \$700,000 in prepaid fines would be negated due to the bill's exemption, even if interpreted broadly.

MDTA advises that nonbudgeted revenues decrease to the extent that a greater number of vehicles that illegally pass through an MDTA toll facility cannot be identified. Currently, toll facilities take photographs of both the front and rear of a vehicle. In the event that one of a vehicle's registration plates cannot be identified, an image of the second plate allows for positive identification of the vehicle. However, under the bill, use of the second plate for identification purposes would not be possible; therefore, additional vehicles that illegally pass through a toll facility may not be able to be identified and required to pay the toll and additional fine. Although data was not available to allow for a reliable estimate of this decrease in revenues, it is not likely to be significant.

Additional Information

Prior Introductions: A bill with similar provisions, HB 585 of 2012, received an unfavorable report from the House Environmental Matters Committee.

Cross File: None.

Information Source(s): Maryland Department of Transportation, National Conference of State Legislatures, Department of Legislative Services

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mlm/ljm

Analysis by: Evan M. Isaacson

Direct Inquiries to:

(410) 946-5510

(301) 970-5510