

HOUSE BILL 603

R7
HB 1641/16 – HRU

7lr1246

By: **Delegates Parrott, McKay, and B. Wilson**

Introduced and read first time: January 30, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 2017

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – ~~Proof of Insurance for Motor Vehicles Registered in Another~~**
3 **State Out-of-State Vehicles – Required Security**

4 FOR the purpose of ~~prohibiting a person from operating or allowing to be operated a motor~~
5 ~~vehicle registered in another state if the person knows or has reason to know that~~
6 ~~the motor vehicle does not have a valid motor vehicle insurance policy; prohibiting a~~
7 ~~person from willfully and knowingly providing false proof of insurance for a motor~~
8 ~~vehicle registered in another state~~ altering the defined term “required security” as it
9 applies to motor vehicles in the State to include certain security for out-of-state
10 motor vehicles; making certain conforming changes; making a stylistic change; and
11 generally relating to ~~motor vehicle insurance for vehicles registered in another state~~
12 required security for out-of-state motor vehicles.

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section ~~17-107(a) and 17-110~~ 17-101 and 17-107
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2016 Supplement)

18 BY ~~adding to~~ repealing and reenacting, without amendments,
19 Article – Transportation
20 Section ~~17-107(d)~~ 17-110 and 27-101(h)
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2016 Supplement)

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.



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

Article – Transportation

17–101.

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

(b) “Fleet policy” means an insurance policy issued for a fleet of vehicles that provides coverage that is not based on a schedule of individual vehicles at the time the policy is issued.

(c) “Lapse” and “termination” mean a lapse or termination of required security, as defined in regulations adopted by the Administration.

(d) “Required security” means security in the form and providing for the minimum benefits required:

(1) FOR A VEHICLE REGISTERED IN THE STATE, under this subtitle or any other provisions of the Maryland Vehicle Law; OR

(2) FOR A VEHICLE REGISTERED IN ANOTHER JURISDICTION, UNDER THE LAWS OF THAT JURISDICTION.

17–107.

(a) A person who knows or has reason to know that a motor vehicle is not covered by the required security may not:

(1) Drive the vehicle; or

(2) If [he] **THE PERSON** is an owner of the vehicle, knowingly permit another person to drive it.

~~(D) A PERSON WHO KNOWS OR HAS REASON TO KNOW THAT A MOTOR VEHICLE REGISTERED IN ANOTHER STATE IS NOT COVERED BY A VALID MOTOR VEHICLE INSURANCE POLICY MAY NOT:~~

~~(1) DRIVE THE MOTOR VEHICLE; OR~~

~~(2) IF THE PERSON IS AN OWNER OF THE MOTOR VEHICLE, KNOWINGLY PERMIT ANOTHER PERSON TO DRIVE THE MOTOR VEHICLE.~~

(b) (1) In any prosecution under subsection (a) of this section FOR A VEHICLE THAT IS REGISTERED IN THE STATE, the introduction of the official records of the Motor

1 Vehicle Administration showing the absence of a record that the vehicle is covered by the
2 security required under § 17-104 of this subtitle shall be prima facie evidence that a person
3 knows or has reason to know that a motor vehicle is not covered by the required security.

4 (2) The introduction of evidence of the records of the Administration may
5 not limit the introduction of other evidence bearing upon whether the vehicle was covered
6 by the required security.

7 (c) An owner or lessee of any motor vehicle registered under Title 13 of this article
8 may not raise the defense of sovereign or governmental immunity as described under §
9 5-524 of the Courts and Judicial Proceedings Article.

10 17-110.

11 ~~(A)~~ Whenever evidence of security is required under this subtitle, a person may
12 not willfully and knowingly create, certify, file, or provide false evidence of required
13 security.

14 ~~(B) A PERSON MAY NOT WILLFULLY AND KNOWINGLY PROVIDE FALSE~~
15 ~~EVIDENCE OF A MOTOR VEHICLE INSURANCE POLICY FOR A MOTOR VEHICLE~~
16 ~~REGISTERED IN ANOTHER STATE.~~

17 27-101.

18 (h) Any person who is convicted of a violation of any of the provisions of §
19 16-113(k) of this article (“Ignition Interlock System Program participant driving vehicle
20 without ignition interlock”), § 16-303(a), (b), (c), (d), (e), (f), or (g) of this article (“Driving
21 while license is canceled, suspended, refused, or revoked”), § 17-107 of this article
22 (“Prohibitions”), or § 17-110 of this article (“Providing false evidence of required security”)
23 is subject to:

24 (1) For a first offense, a fine of not more than \$1,000, or imprisonment for
25 not more than 1 year, or both; and

26 (2) For any subsequent offense, a fine of not more than \$1,000, or
27 imprisonment for not more than 2 years, or both.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2017.