

HOUSE BILL 756

R4

7lr1579

By: **Delegate Stein**

Introduced and read first time: February 2, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Annual Vehicle Shows**

3 FOR the purpose of exempting a motorcycle dealer and a salesman employed by the dealer
4 from restrictions on the number of annual vehicle shows in which the dealer or
5 salesman may participate; creating an exception for motorcycle shows to the general
6 requirement that vehicle shows offer only new vehicles; modifying a certain
7 requirement that an application to the Motor Vehicle Administration to participate
8 in a vehicle show include the names and addresses of all participating dealers;
9 exempting certain motorcycle dealers from certain provisions of law governing the
10 sale of vehicles at vehicle shows; authorizing a motorcycle dealer or salesman to
11 conduct all aspects of a motorcycle sale at a vehicle show; and generally relating to
12 annual vehicle shows.

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 15–304(c), (d), and (e)
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2016 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 15–304(f)
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2016 Supplement)

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

25 **Article – Transportation**

26 15–304.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) Notwithstanding the provisions of this section:

2 (1) A new vehicle dealer, or a licensed vehicle salesman who is employed
3 by the dealer, may participate in 2 annual vehicle shows for each dealer location.

4 (2) A display or exhibit of vehicles provided by a vehicle manufacturer is
5 not a vehicle show under this section if buyers' orders are not executed and deposits are not
6 accepted.

7 (3) **(I)** A new vehicle dealer franchised to sell Class M motor homes or
8 Class G trailers, or a licensed salesman who is employed by the dealer, may participate in
9 more than 2 annual vehicle shows, if the shows are limited to Class M motor homes or Class
10 G trailers.

11 **(II) A NEW VEHICLE DEALER FRANCHISED TO SELL**
12 **MOTORCYCLES, OR A LICENSED SALESMAN WHO IS EMPLOYED BY THE DEALER, MAY**
13 **PARTICIPATE IN MORE THAN 2 ANNUAL VEHICLE SHOWS.**

14 (d) A vehicle dealer or licensed vehicle salesman listed in subsection (c) of this
15 section may participate in a vehicle show if:

16 (1) The dealer holds a valid license issued under this title; and

17 (2) At least 60 days before the vehicle show, an application is filed with the
18 Administration, for approval by the Administration, that contains:

19 (i) A list of the names and business addresses of participating
20 dealers **TO THE EXTENT KNOWN;**

21 (ii) The location of the vehicle show;

22 (iii) The specific dates on which the vehicle show will be held; and

23 (iv) Other reasonable information required by the Administration;

24 and

25 (3) The vehicle show does not exceed 10 consecutive days and, **EXCEPT**
26 **FOR MOTORCYCLE SHOWS,** is restricted to new vehicles only.

27 (e) (1) **THIS SUBSECTION DOES NOT APPLY TO A LICENSED MOTORCYCLE**
28 **DEALER OR A LICENSED MOTORCYCLE SALESMAN WHO IS EMPLOYED BY THE**
29 **DEALER.**

1 **(2)** A licensed dealer, or a licensed vehicle salesman who is employed by
2 the dealer, who participates in a vehicle show may execute a buyer's order and accept a
3 deposit as provided in paragraph ~~[(2)]~~ **(3)** of this subsection.

4 ~~[(2)]~~ **(3)** A licensed dealer may not accept a deposit that:

5 (i) For an order for any vehicle, except a Class M motor home,
6 exceeds 5 percent of the cost of the vehicle; or

7 (ii) For an order of a Class M motor home, exceeds 10 percent of the
8 cost of the motor home.

9 ~~[(3)]~~ **(4)** Except as otherwise provided in paragraph ~~[(1)]~~ **(2)** of this
10 subsection, a licensed dealer, or a licensed vehicle salesman who is employed by the dealer,
11 shall conduct activities involved in a vehicle sale, including the completion of the sales
12 contract, the issuance of temporary registration plates and a temporary registration
13 certificate, and delivery of the vehicle, at the dealer's fixed location as shown in the dealer's
14 application for the license.

15 **(F) A LICENSED MOTORCYCLE DEALER, OR A LICENSED SALESMAN WHO IS**
16 **EMPLOYED AT A VEHICLE SHOW BY THE DEALER, MAY CONDUCT ALL ACTIVITIES**
17 **INVOLVED IN A MOTORCYCLE SALE, INCLUDING EXECUTING A BUYER'S ORDER,**
18 **ACCEPTING A DEPOSIT OF ANY AMOUNT, COMPLETING THE SALES CONTRACT,**
19 **ISSUING TEMPORARY REGISTRATION PLATES AND A TEMPORARY REGISTRATION**
20 **CERTIFICATE, AND DELIVERY OF THE MOTORCYCLE.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2017.