

Chapter 345

(House Bill 603)

AN ACT concerning

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

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

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

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

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

Article – Transportation17-101.

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

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

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

17-110.

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

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

27-101.

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

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

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

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

Approved by the Governor, April 18, 2017.