

# HOUSE BILL 426

N1, R4

8lr0743

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By: **Delegates Vogt, Folden, Fraser-Hidalgo, Hornberger, and K. Young**

Introduced and read first time: January 24, 2018

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Manufactured Homes – Severance From Real Property – Emergency**  
3 **Evacuations**

4 FOR the purpose of creating an exception to the requirement that owners of certain  
5 manufactured homes record and file an affidavit of severance under certain  
6 circumstances, if the manufactured home is severed from real property after a  
7 certain evacuation is directed and remains severed for a period not exceeding a  
8 certain number of days; creating an exception from vehicle registration requirements  
9 for certain manufactured homes that are severed from real property due to certain  
10 evacuations; and generally relating to the severance of manufactured homes from  
11 real property due to emergency evacuations.

12 BY repealing and reenacting, without amendments,  
13 Article – Real Property  
14 Section 8B–101(a) and (i)  
15 Annotated Code of Maryland  
16 (2015 Replacement Volume and 2017 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Real Property  
19 Section 8B–301  
20 Annotated Code of Maryland  
21 (2015 Replacement Volume and 2017 Supplement)

22 BY repealing and reenacting, without amendments,  
23 Article – Transportation  
24 Section 13–402(a)(1)  
25 Annotated Code of Maryland  
26 (2012 Replacement Volume and 2017 Supplement)

27 BY repealing and reenacting, with amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Transportation  
2 Section 13–402(c)  
3 Annotated Code of Maryland  
4 (2012 Replacement Volume and 2017 Supplement)

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

7 **Article – Real Property**

8 8B–101.

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

10 (i) “Sever” means to separate a manufactured home that has been converted to  
11 real property from the parcel of real property to which it has been affixed.

12 8B–301.

13 (A) **[If] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF** a  
14 manufactured home for which an affidavit of affixation has been recorded is to be severed  
15 from real property, the owner shall record and file an affidavit of severance as provided  
16 under § 8B–302 of this subtitle.

17 (B) **AN OWNER OF A MANUFACTURED HOME IS NOT REQUIRED TO RECORD**  
18 **AND FILE AN AFFIDAVIT OF SEVERANCE IF THE MANUFACTURED HOME:**

19 (1) **IS SEVERED FROM REAL PROPERTY AFTER AN EMERGENCY**  
20 **EVACUATION IS DIRECTED THAT IS APPLICABLE TO THE REAL PROPERTY; AND**

21 (2) **REMAINS SEVERED FOR A PERIOD NOT EXCEEDING 90 DAYS**  
22 **AFTER THE EMERGENCY EVACUATION IS DIRECTED.**

23 **Article – Transportation**

24 13–402.

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

28 (c) Registration under this subtitle is not required for:

29 (1) A vehicle that is driven on a highway:

30 (i) In conformity with the provisions of this title relating to

1 manufacturers, transporters, dealers, secured parties, owners or operators of special mobile  
2 equipment, or nonresidents; or

3 (ii) Under a temporary registration card issued by the  
4 Administration;

5 (2) A vehicle owned and used by the United States, unless an authorized  
6 officer or employee of the United States requests registration of the vehicle;

7 (3) A farm tractor or any farm equipment;

8 (4) A vehicle the front or rear wheels of which are lifted from the highway;

9 (5) A towed vehicle that is attached to the towing vehicle by a tow bar and  
10 for which no driver is necessary;

11 (6) A vehicle owned by and in the possession of a licensed dealer for purpose  
12 of sale;

13 (7) A vehicle owned by a new resident of this State during the first 60 days  
14 of residency provided the vehicle displays valid registration issued by the jurisdiction of the  
15 resident's former domicile;

16 (8) New vehicles being operated as part of a shuttle, as defined in § 13–626  
17 of this title, while following a registered vehicle displaying a shuttle permit issued by the  
18 Administration;

19 (9) A vehicle operated in connection with maritime commerce exclusively  
20 within any terminal owned or leased by the Maryland Port Administration;

21 (10) A snowmobile that is operated on highways and roadways as prescribed  
22 by § 25–102(a)(14) of this article;

23 (11) A golf cart that is operated on a highway on Smith Island, provided that  
24 the golf cart is equipped with lighting devices as required by the Administration if it is  
25 operated on a highway between dusk and dawn;

26 (12) A golf cart that is operated on a highway in the City of Crisfield,  
27 Somerset County, in accordance with § 21–104.2 of this article;

28 (13) A golf cart that is operated on a county highway in the community of  
29 Golden Beach Patuxent Knolls, St. Mary's County, in accordance with § 21–104.3 of this  
30 article;

31 (14) A golf cart that is operated on an Allegany County highway as allowed  
32 by the county under § 25–102(a)(16) of this article; [or]

1           (15) A vehicle owned by an accredited consular or diplomatic officer of a  
2 foreign government and operated for official or personal purposes when the vehicle displays  
3 a valid diplomatic license plate issued by the United States government; **OR**

4           **(16) A MANUFACTURED HOME THAT, DUE TO AN EMERGENCY**  
5 **EVACUATION, IS SEVERED FROM REAL PROPERTY AND IS EXEMPT FROM THE**  
6 **REQUIREMENT TO RECORD AND FILE AN AFFIDAVIT OF SEVERANCE UNDER §**  
7 **8B-301 OF THE REAL PROPERTY ARTICLE.**

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2018.