

SENATE BILL 292

N2

(8lr1476)

ENROLLED BILL

— *Judicial Proceedings/Health and Government Operations* —

Introduced by **Senators Norman, Brochin, Eckardt, Ready, Salling, and Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Estates – Administration Exemption – Transfer of Motor Vehicle and Boat Titles**

3 FOR the purpose of establishing that administration of certain estates containing only
4 certain motor vehicle or boat property is not required *under certain circumstances*;
5 authorizing the Motor Vehicle Administration to transfer title of certain motor
6 vehicles under certain circumstances; ~~prohibiting the Administration from requiring~~
7 ~~a person who receives title to a motor vehicle under certain circumstances to make a~~
8 ~~certain application until a certain time or submit a certain title until a certain time~~;
9 authorizing a certain agency to transfer title of a certain boat or vessel under certain
10 circumstances; and generally relating to an administration exemption for certain
11 estates.

12 BY adding to

13 Article – Estates and Trusts

14 Section 5–608

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.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2017 Replacement Volume)

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

5 Article – Estates and Trusts

6 5-608.

7 (A) ~~(1)~~ IF THE ONLY PROPERTY ~~OF AN ESTATE~~ OWNED BY A DECEDENT IS
8 NOT MORE THAN TWO MOTOR VEHICLES AND THE DECEDENT'S SURVIVING SPOUSE
9 IS THE DECEDENT'S ONLY HEIR OR LEGATEE:

10 ~~(1)~~ (1) ADMINISTRATION OF ~~THE~~ AN ESTATE OF THE
11 DECEDENT IS NOT REQUIRED; AND

12 ~~(2)~~ (2) THE MOTOR VEHICLE ADMINISTRATION MAY
13 TRANSFER TITLE TO A MOTOR VEHICLE ~~IN THE ESTATE TO THE PERSON ENTITLED~~
14 ~~TO THE MOTOR VEHICLE IF:~~

15 ~~1.~~ ~~THE MOTOR VEHICLE TITLE IS PROPERLY ASSIGNED~~
16 ~~BY THE PERSONAL REPRESENTATIVE OF THE DECEASED OWNER OF THE MOTOR~~
17 ~~VEHICLE;~~

18 ~~2.~~ ~~THE~~ OWNED BY THE DECEDENT TO THE SURVIVING
19 SPOUSE IF:

20 (1) THE SURVIVING SPOUSE CERTIFIES TO THE MOTOR
21 VEHICLE ADMINISTRATION IS SATISFIED THAT ALL DEBTS AND TAXES OWED BY THE
22 DECEDENT ON THE MOTOR VEHICLE HAVE BEEN PAID; AND

23 ~~3.~~ (II) THE MOTOR VEHICLE ADMINISTRATION
24 RECEIVES A ~~CERTIFICATE OF LETTERS TESTAMENTARY OR OF ADMINISTRATION~~
25 ~~ISSUED BY A COURT OF COMPETENT JURISDICTION~~ COPY OF THE DECEDENT'S
26 DEATH CERTIFICATE AND SUITABLE PROOF OF THE EXISTENCE OF THE MARRIAGE.

27 (2) ~~THE MOTOR VEHICLE ADMINISTRATION MAY NOT REQUIRE A~~
28 ~~PERSON WHO RECEIVES TITLE TO A MOTOR VEHICLE UNDER PARAGRAPH (1) OF~~
29 ~~THIS SUBSECTION TO:~~

30 (i) ~~APPLY FOR A NEW CERTIFICATE OF TITLE FOR THE MOTOR~~
31 ~~VEHICLE UNTIL THE EXPIRATION OF THE LAST ANNUAL REGISTRATION IN THE NAME~~
32 ~~OF THE DECEASED OWNER; OR~~

1 ~~(H) SUBMIT THE CERTIFICATE OF TITLE UNTIL THE~~
2 ~~APPLICATION FOR A NEW CERTIFICATE OF TITLE IS MADE.~~

3 (B) IF THE ONLY PROPERTY ~~OF AN ESTATE~~ OWNED BY A DECEDENT IS A
4 BOAT OR VESSEL WITH AN APPRAISED VALUE THAT DOES NOT EXCEED \$5,000 AND
5 THE DECEDENT'S SURVIVING SPOUSE IS THE DECEDENT'S ONLY HEIR OR LEGATEE:

6 (1) ADMINISTRATION OF ~~THE~~ AN ESTATE OF ~~A~~ THE DECEDENT IS NOT
7 REQUIRED; AND

8 (2) THE AGENCY THAT ISSUED THE CERTIFICATE OF TITLE MAY
9 TRANSFER THE CERTIFICATE OF TITLE FOR THE BOAT OR VESSEL TO THE ~~PERSON~~
10 ~~ENTITLED TO THE BOAT OR VESSEL~~ SURVIVING SPOUSE OF THE DECEDENT IF:

11 (i) ~~THE AGENCY IS SATISFIED~~ SURVIVING SPOUSE CERTIFIES
12 TO THE AGENCY THAT ALL DEBTS AND TAXES OWED BY THE DECEDENT ~~ON THE BOAT~~
13 ~~OR VESSEL~~ HAVE BEEN PAID; ~~AND~~

14 (ii) THE AGENCY RECEIVES SATISFACTORY EVIDENCE OF THE
15 VALUE OF THE BOAT OR VESSEL, WHICH MAY BE PROVIDED BY A STATEMENT SIGNED
16 BY TWO INDIVIDUALS STATING THAT:

17 1. THEY HAVE PERSONAL KNOWLEDGE OF THE VALUE
18 OF BOATS OR VESSELS OF THE TYPE THAT IS IN THE ESTATE; AND

19 2. THE VALUE OF THE BOAT OR VESSEL DOES NOT
20 EXCEED \$5,000; AND

21 (iii) THE AGENCY RECEIVES A COPY OF THE DECEDENT'S DEATH
22 CERTIFICATE AND SUITABLE PROOF OF THE EXISTENCE OF THE MARRIAGE.

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