

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 373

(Charles County Senators)

Judicial Proceedings

Charles County - Motorized Minibikes - Regulation and Enforcement

This bill authorizes Charles County to regulate motorized minibikes in the county and to enforce the Maryland Vehicle Law for violations involving motorized minibikes, including impoundment and conditions for release from impoundment.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: The bill does not materially affect Charles County finances. Any changes to enforcement can be handled with existing resources.

Small Business Effect: Potential minimal.

Analysis

Current Law: A “motorized minibike” is a motor vehicle that (1) has two or three wheels and (2) is not subject to registration. A motorized minibike does not include a motor scooter; a moped; a farm tractor; an electric bicycle; or an electric low speed scooter.

A local authority may require a motorized minibike to be permitted and may also impose a permit fee.

Sale of Motorized Minibikes

Any dealer (or agent or employee of a dealer), any vehicle salesman, or any other person who sells a motorized minibike must inform the buyer in writing that a motorized minibike

may not be driven on a highway in the State. Similarly, the buyer must be informed in writing that local law, ordinance, and regulation may limit the use of the motorized minibike. A violation of either of these requirements is a violation of the Maryland Vehicle Law and subject to a maximum penalty of \$500. The prepayment penalty for both of these violations is \$290.

Impoundment of Vehicles

Numerous requirements in State law apply to the towing and impoundment of motor vehicles. For example, as part of a sentence, or a condition of probation, a court may order impoundment or immobilization for up to 180 days of a solely owned vehicle used in commission of the crimes of driving while a person's license or privilege to drive is suspended or revoked in the State.

In the case of an abandoned vehicle, a police department is required to follow certain procedures after taking such a vehicle into custody. As soon as reasonably possible – but no more than seven days after it takes an abandoned vehicle into custody – a police department must send a notice by certified U.S. mail with a return receipt requested to (1) the last known registered owner of the vehicle and (2) each secured party, as shown on Motor Vehicle Administration records.

The notice must include specified information, including information about the vehicle and the location of the facility where the vehicle is held. In general, a vehicle may be reclaimed within three weeks after the date of the notice, after payment of all towing, preservation, and storage charges resulting from taking or placing the vehicle in custody.

If a vehicle is not reclaimed within an appropriate time period and after specified procedures have been followed, the vehicle may be sold at public auction and the police may use the proceeds for cost recovery.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 944 (Charles County Delegation) - Environment and Transportation.

Information Source(s): Charles County; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2023
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