

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 322

(Senator Kagan)

Judicial Proceedings

Rules and Executive Nominations

Vehicle Laws - Obscured, Modified, or Blocked Registration Plates and
Registration Plate Covers

This bill makes several changes to laws pertaining to registration plate covers. The bill (1) alters the definition of “registration plate cover” applicable to specified prohibitions; (2) prohibits a person from advertising for, or promoting the sale of, an unlawful registration plate cover by falsely claiming that the registration plate cover is lawful in the State; and (3) establishes that a violation of this prohibition is punishable under the Maryland Vehicle Law *and* as an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA). The bill also alters an existing offense by prohibiting a person from obscuring or modifying a vehicle registration plate *in a manner that may prevent* identification, rather than the current statutory requirement of *an intent to avoid* identification. Under the bill, a police officer may enforce a violation of this altered prohibition only as a secondary offense.

Fiscal Summary

State Effect: Revenues are not materially affected. The bill can likely be implemented and enforced using existing budgeted State resources.

Local Effect: The bill is not anticipated to materially affect local government finances or operations.

Small Business Effect: None.

Analysis

Bill Summary/Current Law:

Vehicle Registration Plates (Unchanged by the Bill)

Under current law, unless exempt, all vehicles are required to display two registration plates – one plate on the front and the other on the rear of the vehicle. The vehicle in an exempt class must only display one license plate, as specified. In addition, the Motor Vehicle Administration must issue only one plate for vehicles with temporary registration.

At all times, each registration plate must be (1) maintained free from foreign materials, including registration plate covers (defined below), and in a condition to be clearly legible and (2) securely fastened to the vehicle in a horizontal position, in a manner that prevents the plate from swinging, and in a place and position to be clearly visible. A police officer may enforce this provision involving the placement of an object framing or bordering the edges of a registration plate only as a secondary action when the police officer detains a driver of a motor vehicle for a suspected violation of another provision of State law. A violation of these provisions is a misdemeanor, subject to a fine of up to \$500. The District Court has established a prepayable fine of \$70 for these violations.

Vehicle Registration Plate Covers – Definition and Commerce-related Prohibitions

Under current law, for the provisions discussed below, “registration plate cover” means any tinted, colored, painted, marked, *clear*, or illuminated object that is designed (1) *to cover* any of the characters of a vehicle’s registration plate or (2) to distort a recorded image of any of the characters of a vehicle’s registration plate recorded by a traffic control signal monitoring system under § 21-202.1 of the Transportation Article.

The bill repeals the reference to clear objects and further alters the definition of “registration plate cover” to mean any tinted, colored, painted, marked, or illuminated object that is designed (1) *to obscure or block* any of the characters of a vehicle’s registration plate or (2) to distort a recorded image of any of the characters of a vehicle’s registration plate recorded by a traffic control signal monitoring system under § 21-202.1 of the Transportation Article.

Under current law, a person may not (1) sell or offer for sale a registration plate cover or (2) advertise for the purpose of promoting the sale of registration plate covers. A violation of these provisions is a misdemeanor, subject to a fine of up to \$500. The District Court has established a prepayable fine of \$70 for these violations.

The bill further prohibits a person from advertising for, or promoting the sale of, an unlawful registration plate cover by falsely claiming that the registration plate cover is lawful in the State. A violation of this prohibition is (1) a misdemeanor punishable by a \$500 maximum fine (the general penalty for violations of the Maryland Vehicle Law) and (2) subject to the enforcement and penalty provisions for unfair, abusive, or deceptive trade practices under MCPA.

Obscuring or Modifying a Vehicle Registration Plate

Under current law, a person may not obscure or modify any vehicle registration plate *with intent to avoid identification*. The bill alters this offense to prohibit a person from obscuring or modifying any vehicle registration plate *in a manner that may prevent identification*.

Under current law, a violation is a misdemeanor with a maximum \$500 fine. The prepayment penalty is \$280, with one point assessed against the individual's driver's license. While the bill does not alter the penalties for this offense, the bill establishes that a police officer may enforce a violation of this prohibition *only as a secondary action* when the police officer detains a driver of a motor vehicle for a suspected violation of another provision of State law.

Maryland Consumer Protection Act – Unfair, Abusive, or Deceptive Trade Practices

As noted above, the bill classifies specified registration plate cover violations as unfair, abusive, or deceptive trade practices under MCPA.

An unfair, abusive, or deceptive trade practice under MCPA includes, among other acts, any (1) false, falsely disparaging, or misleading oral or written statement, visual description, or other representation of any kind which has the capacity, tendency, or effect of deceiving or misleading consumers; (2) failure to state a material fact if the failure deceives or tends to deceive; (3) advertisement or offer of consumer goods, consumer realty, or consumer services without the intent to sell, lease, or rent them as advertised or offered; and (4) deception, fraud, false pretense, false premise, misrepresentation, or knowing concealment, suppression, or omission of any material fact with the intent that a consumer rely on the same in connection with the promotion or sale of any consumer goods, consumer realty, or consumer service.

The Consumer Protection Division of the Office of the Attorney General is responsible for enforcing MCPA and investigating the complaints of aggrieved consumers. The division may attempt to conciliate the matter, issue a cease-and-desist order, or file a civil action in court. A merchant who violates MCPA is subject to a fine of up to \$10,000 for each violation and up to \$25,000 for each repetition of the same violation. In addition to any civil penalties that may be imposed, any person who violates MCPA is guilty of a

misdemeanor and, on conviction, is subject to a fine of up to \$1,000 and/or imprisonment for up to one year.

Additional Comments: The Judiciary (Administrative Office of the Courts) notes that, in fiscal 2024, there were 418 charges issued for obscuring or modifying vehicle plates *with intent to avoid* identification, with 143 guilty dispositions. These figures represent an increase of 64% in charges issued for obscuring or modifying vehicle plates, and an increase of 61% in guilty dispositions, from fiscal 2023 violations.

Additional Information

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

Designated Cross File: HB 470 (Delegate Ziegler, *et al.*) - Environment and Transportation.

Information Source(s): Judiciary (Administrative Office of the Courts); Office of the Attorney General (Consumer Protection Division); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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