



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Acting Secretary

February 6, 2020

The Honorable Kumar P. Barve
Chairman, Environment & Transportation Committee
251 House Office Building
Annapolis MD 21401

Re: *Letter of Information – House Bill 157 – Vehicle Laws – Business or Occupational Licenses – Administrative Penalties*

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) supports House Bill 157 as an important highway safety measure that will prevent vehicles that have not met the lawful standards for safe operation from being fraudulently registered and operated on the roadway.

House Bill 157 authorizes MDOT Motor Vehicle Administration (MDOT MVA) to suspend a used vehicle dealer or tag and title service agent's business license prior to an administrative hearing for violations of safety inspection requirements if there is danger of immediate, substantial, and continuing harm to the public. The bill further provides that if the conditions for an immediate suspension are met, the license holder will be granted an administrative hearing within seven (7) days of requesting one, and that a decision to suspend, revoke, or reinstate the license is to be immediately rendered.

Maryland law already authorizes the Maryland State Police (MSP) to suspend on an emergency basis those inspection stations who engage in fraudulent inspection activity, but does not provide equal recourse against individuals in the tag and title or used dealership business who are similarly evading safety inspection requirements in order to register a vehicle. Since 2014, MDOT MVA Division of Investigations and Security Services has documented at least 3,000 used vehicles that were registered by at least twenty-four (24) licensed tag and title and used car dealers without being safety inspected. These 3,000 vehicles did not have the soundness of their braking system, tires, or steering components checked and were registered and permitted to operate on the highway. When MDOT MVA investigators become aware of these very serious violations, they pursue incremental corrective actions to stop the abuse, but have no immediate recourse. In the most egregious cases, additional unsafe vehicles continue to be fraudulently registered as MDOT MVA works to take disciplinary action.

MDOT MVA already has the authority to impose an emergency suspension on driving school business and instructional licenses where specific public safety-related concerns are identified. While this authority is rarely exercised, in the most extreme cases it is absolutely necessary.

The Honorable Kumar P. Barve
Page Two

It is the preeminent responsibility of the MDOT MVA to ensure the safety of the traveling public. Permitting the Administration to suspend a dealer or tag and title service license for safety inspection violations on an emergency basis, while also guaranteeing the right to an expeditious hearing provides reasonable safeguards both to the licensee and the public in situations where a grave public safety concern has been demonstrated.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant House Bill 157 a favorable report. Should there be any questions or concerns, please do not hesitate to contact the Department.

Respectfully Submitted,

Christine E. Nizer
Administrator
Maryland Motor Vehicle Administration
410-787-7830

Jeff Tosi
Government Affairs Director
Maryland Department of Transportation
410-841-2850