

SENATE BILL 344

R5, R6

0lr1796
CF 0lr1714

By: **Senator Glassman**

Introduced and read first time: January 28, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Medium Speed Vehicles – Requirements and Prohibitions**

3 FOR the purpose of prohibiting a person from driving a medium speed vehicle on
4 certain highways; prohibiting a person from driving a medium speed vehicle on
5 a highway unless the vehicle displays a certain emblem; establishing certain
6 standards for a certain emblem; prohibiting a motor vehicle dealer from selling
7 a medium speed vehicle unless the dealer permanently affixes a certain emblem
8 to the vehicle and informs the buyer that certain driving restrictions apply;
9 requiring the application for registration of a medium speed vehicle to be
10 submitted electronically; requiring a dealer of medium speed vehicles under
11 certain circumstances to obtain a registration application from the vehicle's
12 owner, collect registration fees, and transmit the application and fees in a
13 certain manner within a certain time period; defining a certain term; and
14 generally relating to requirements and prohibitions for medium speed vehicles.

15 BY adding to

16 Article – Transportation
17 Section 11–132.1 and 21–805.1
18 Annotated Code of Maryland
19 (2009 Replacement Volume and 2009 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – Transportation
22 Section 13–403, 15–313, and 21–804
23 Annotated Code of Maryland
24 (2009 Replacement Volume and 2009 Supplement)

25 BY repealing and reenacting, without amendments,

26 Article – Transportation
27 Section 27–101(a) and (b)
28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2009 Replacement Volume and 2009 Supplement)

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

4 **Article – Transportation**

5 **11–132.1.**

6 **“MEDIUM SPEED VEHICLE” MEANS A CLASS A (PASSENGER), CLASS D**
7 **(MOTORCYCLE), OR CLASS M (MULTIPURPOSE) MOTOR VEHICLE THAT HAS A**
8 **MAXIMUM SPEED CAPABILITY OF AT LEAST 25 MILES PER HOUR BUT LESS THAN**
9 **55 MILES PER HOUR.**

10 13–403.

11 (a) (1) Except as provided in paragraph (2) of this subsection, the owner of
12 a vehicle subject to registration under this subtitle shall apply to the Administration
13 for the registration of the vehicle in a manner that the Administration requires.

14 (2) The application for registration of a low speed vehicle **OR A**
15 **MEDIUM SPEED VEHICLE** shall be made by electronic transmission under § 13–610 of
16 this title.

17 (b) The application shall contain the information that the Administration
18 reasonably requires to determine if the vehicle is entitled to registration.

19 (c) If a licensed dealer holds a low speed vehicle **OR A MEDIUM SPEED**
20 **VEHICLE** for sale and transfers the vehicle to a person other than another licensed
21 dealer, the dealer shall:

22 (1) Obtain from the transferee a completed application;

23 (2) Collect all fees required to register the [low speed] vehicle under
24 this subtitle; and

25 (3) Within 30 days of the date of delivery of the [low speed] vehicle,
26 electronically transmit the application and fees in accordance with § 13–610 of this
27 title.

28 15–313.

29 (a) A dealer or an agent or employee of a dealer may not use any
30 advertisement that is in any way false, deceptive, or misleading.

1 (b) A dealer or an agent or employee of a dealer may not by any means
2 advertise or offer to the public any vehicle without intent to sell it as advertised or
3 offered.

4 (c) A dealer or an agent or employee of a dealer:

5 (1) May not state the purchase price of a vehicle in an advertisement
6 unless the price is the full delivered purchase price of the vehicle, excluding only taxes,
7 title fees, and any freight or dealer processing charge disclosed in accordance with §
8 15–311.1 of this subtitle; and

9 (2) Shall print the full delivered purchase price in a vehicle
10 advertisement in the largest font used in the advertisement to provide any
11 information related to the price of the vehicle.

12 (d) (1) A dealer or an agent or employee of a dealer may not place on a
13 vehicle an insignia, logo, or other plate that advertises the name of the dealer, unless:

14 (i) The contract of sale for the vehicle contains a notice of the
15 rights of the buyer described in this subsection; and

16 (ii) The buyer of the vehicle consents to the placement of the
17 insignia, logo, or other plate on the vehicle.

18 (2) A dealer or an agent or employee of a dealer may enter into an
19 agreement with a buyer of a vehicle to compensate the buyer in exchange for the
20 buyer's consent to the placement on the vehicle of an insignia, logo, or other plate that
21 advertises the name of the dealer.

22 (3) If a dealer or an agent or employee of a dealer places an insignia,
23 logo, or other plate that advertises the name of the dealer without obtaining a buyer's
24 consent, the dealer shall, at the request of the buyer, remove the advertising and make
25 all repairs necessary to restore the vehicle to its original appearance at no charge to
26 the buyer.

27 **(E) A DEALER OR AN AGENT OR EMPLOYEE OF A DEALER MAY NOT SELL**
28 **A MEDIUM SPEED VEHICLE UNLESS THE DEALER:**

29 **(1) PERMANENTLY AFFIXES AN EMBLEM TO THE VEHICLE IN**
30 **ACCORDANCE WITH § 21–805.1 OF THIS ARTICLE; AND**

31 **(2) INFORMS THE BUYER IN WRITING THAT THE VEHICLE MAY BE**
32 **DRIVEN LAWFULLY ONLY ON HIGHWAYS ON WHICH THE SPEED CAPABILITY OF**
33 **THE VEHICLE EXCEEDS THE POSTED MAXIMUM SPEED LIMIT FOR THE HIGHWAY**
34 **BY AT LEAST 5 MILES PER HOUR.**

1 21-804.

2 (a) Unless reduced speed is necessary for the safe operation of the vehicle or
3 otherwise is in compliance with law, a person may not willfully drive a motor vehicle
4 at such a slow speed as to impede the normal and reasonable movement of traffic.

5 (b) (1) If, on the basis of an engineering and traffic investigation, the
6 State Highway Administration or a local authority determines that slow speeds on any
7 part of a highway in its jurisdiction impede the normal and reasonable movement of
8 traffic, the State Highway Administration or the local authority may establish a
9 minimum speed limit for that part of the highway.

10 (2) Unless reduced speed is necessary for the safe operation of the
11 vehicle or otherwise is in compliance with law, a person may not drive a vehicle below
12 a minimum speed limit established under this subsection.

13 (3) A minimum speed limit established under this subsection is
14 effective when posted on appropriate signs giving notice of the limit.

15 **(C) A PERSON MAY NOT DRIVE A MEDIUM SPEED VEHICLE ON A**
16 **HIGHWAY IF THE MAXIMUM SPEED CAPABILITY OF THE VEHICLE DOES NOT**
17 **EXCEED THE POSTED MAXIMUM SPEED LIMIT FOR THE HIGHWAY BY AT LEAST 5**
18 **MILES PER HOUR.**

19 **21-805.1.**

20 **(A) A PERSON MAY NOT DRIVE A MEDIUM SPEED VEHICLE ON A**
21 **HIGHWAY UNLESS THE VEHICLE PROPERLY DISPLAYS A REDUCED SPEED**
22 **VEHICLE EMBLEM.**

23 **(B) A REDUCED SPEED VEHICLE EMBLEM REQUIRED UNDER THIS**
24 **SECTION SHALL BE:**

25 **(1) A TRUNCATED EQUILATERAL TRIANGLE THAT IS AT LEAST 14**
26 **INCHES HIGH WITH A RED REFLECTIVE BORDER THAT IS AT LEAST 1.75 INCHES**
27 **WIDE AND WITH A FLUORESCENT GREEN CENTER; AND**

28 **(2) PERMANENTLY AFFIXED TO THE REAR OF THE VEHICLE, WITH**
29 **THE BASE DOWN AND AT A HEIGHT OF BETWEEN 3 FEET AND 5 FEET ABOVE THE**
30 **GROUND.**

31 27-101.

32 (a) It is a misdemeanor for any person to violate any of the provisions of the
33 Maryland Vehicle Law unless the violation:

1 (1) Is declared to be a felony by the Maryland Vehicle Law or by any
2 other law of this State; or

3 (2) Is punishable by a civil penalty under the applicable provision of
4 the Maryland Vehicle Law.

5 (b) Except as otherwise provided in this section, any person convicted of a
6 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
7 subject to a fine of not more than \$500.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2010.