

SENATE BILL 344

R5, R6

0lr1796
CF HB 480

By: **Senator Glassman**

Introduced and read first time: January 28, 2010

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2010

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – ~~Medium~~ Limited Speed Vehicles – Requirements and**
3 **Prohibitions**

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

18 BY adding to

19 Article – Transportation

20 Section ~~11-132.1~~ and 21-805.1

21 Annotated Code of Maryland

22 (2009 Replacement Volume and 2009 Supplement)

23 BY repealing and reenacting, with amendments,

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.



1 Article – Transportation
 2 Section ~~13-403~~, 15-313, and 21-804
 3 Annotated Code of Maryland
 4 (2009 Replacement Volume and 2009 Supplement)

5 BY repealing and reenacting, without amendments,
 6 Article – Transportation
 7 Section 27-101(a) and (b)
 8 Annotated Code of Maryland
 9 (2009 Replacement Volume and 2009 Supplement)

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

12 **Article – Transportation**

13 ~~11-132.1.~~

14 ~~“MEDIUM SPEED VEHICLE” MEANS A CLASS A (PASSENGER), CLASS D~~
 15 ~~(MOTORCYCLE), OR CLASS M (MULTIPURPOSE) MOTOR VEHICLE THAT HAS A~~
 16 ~~MAXIMUM SPEED CAPABILITY OF AT LEAST 25 MILES PER HOUR BUT LESS THAN~~
 17 ~~55 MILES PER HOUR.~~

18 ~~13-403.~~

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

22 (2) ~~The application for registration of a low speed vehicle OR A~~
 23 ~~MEDIUM SPEED VEHICLE shall be made by electronic transmission under § 13-610 of~~
 24 ~~this title.~~

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

27 (c) ~~If a licensed dealer holds a low speed vehicle OR A MEDIUM SPEED~~
 28 ~~VEHICLE for sale and transfers the vehicle to a person other than another licensed~~
 29 ~~dealer, the dealer shall:~~

30 (1) ~~Obtain from the transferee a completed application;~~

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

1 ~~(3) Within 30 days of the date of delivery of the [low speed] vehicle,~~
2 ~~electronically transmit the application and fees in accordance with § 13-610 of this~~
3 ~~title.~~

4 15-313.

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

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

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

11 (1) May not state the purchase price of a vehicle in an advertisement
12 unless the price is the full delivered purchase price of the vehicle, excluding only taxes,
13 title fees, and any freight or dealer processing charge disclosed in accordance with §
14 15-311.1 of this subtitle; and

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

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

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

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

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

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

33 **(E) A DEALER OR AN AGENT OR EMPLOYEE OF A DEALER MAY NOT SELL**
34 **A MEDIUM SPEED VEHICLE CLASS A (PASSENGER) OR CLASS M**
35 **(MULTIPURPOSE) VEHICLE THAT HAS A MAXIMUM SPEED CAPABILITY OF MORE**

1 THAN 25 MILES PER HOUR BUT LESS THAN 55 MILES PER HOUR UNLESS THE
2 DEALER:

3 (1) PERMANENTLY AFFIXES AN EMBLEM TO THE VEHICLE IN
4 ACCORDANCE WITH § 21-805.1 OF THIS ARTICLE; AND

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

9 21-804.

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

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

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

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

23 (C) A PERSON MAY NOT DRIVE A ~~MEDIUM SPEED VEHICLE~~ CLASS A
24 (PASSENGER) OR CLASS M (MULTIPURPOSE) VEHICLE ON A HIGHWAY IF THE
25 MAXIMUM SPEED CAPABILITY OF THE VEHICLE DOES NOT EXCEED THE POSTED
26 MAXIMUM SPEED LIMIT FOR THE HIGHWAY BY AT LEAST 5 MILES PER HOUR.

27 21-805.1.

28 (A) A PERSON MAY NOT DRIVE A ~~MEDIUM SPEED VEHICLE~~ VEHICLE
29 THAT IS DESIGNED WITH A MAXIMUM SPEED OF MORE THAN 25 MILES PER HOUR
30 AND LESS THAN 55 MILES PER HOUR ON A HIGHWAY UNLESS THE VEHICLE
31 PROPERLY DISPLAYS A REDUCED SPEED VEHICLE EMBLEM IN ACCORDANCE
32 WITH THIS SECTION.

33 (B) A REDUCED SPEED VEHICLE EMBLEM REQUIRED UNDER THIS
34 SECTION SHALL BE:

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

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

7 27–101.

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.