

SENATE BILL 20

R4

(PRE-FILED)

2lr0603
CF HB 94

By: **Senator Astle**

Requested: September 29, 2011

Introduced and read first time: January 11, 2012

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 8, 2012

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Special and Commemorative Registration Plates**

3 FOR the purpose of ~~repealing the authority of the Motor Vehicle Administration to~~
4 ~~issue certain commemorative registration plates and making certain conforming~~
5 ~~changes; requiring rather than authorizing the Administration to issue a special~~
6 ~~Chesapeake Bay Commemorative Registration Plate; requiring the~~
7 ~~Administration to disburse certain fees to the Chesapeake Bay Trust; requiring~~
8 ~~the Administration to consult with the Chesapeake Bay Trust on certain~~
9 ~~matters; repealing the termination provision for the special registration plate~~
10 ~~honoring State agriculture; making certain stylistic and technical changes~~
11 altering the termination date for the Chesapeake Bay Commemorative License
12 Plate and the special registration plate honoring State agriculture; and
13 generally relating to special and commemorative registration plates for motor
14 vehicles.

15 ~~BY repealing and reenacting, with amendments,~~
16 ~~Article – Transportation~~
17 ~~Section 13–618~~
18 ~~Annotated Code of Maryland~~
19 ~~(2009 Replacement Volume and 2011 Supplement)~~

20 BY repealing and reenacting, without amendments,
21 Article – Transportation
22 Section 13–618 and 13–619.2

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 Annotated Code of Maryland
2 (2009 Replacement Volume and 2011 Supplement)

3 BY repealing and reenacting, with amendments,
4 Chapter 251 of the Acts of the General Assembly of 2000, as amended by
5 Chapter 398 of the Acts of the General Assembly of 2003 and
6 Chapters 135 and 136 of the Acts of the General Assembly of 2007
7 Section 3

8 BY repealing and reenacting, with amendments,
9 Chapter 3 of the Acts of the General Assembly of the First Special Session of
10 1992, as amended by Chapter 91 of the Acts of the General Assembly of
11 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter
12 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts
13 of the General Assembly of 2000, Chapter 34 of the Acts of the General
14 Assembly of 2002, Chapter 398 of the Acts of the General Assembly of
15 2003, and Chapters 135 and 136 of the Acts of the General Assembly of
16 2007
17 Section 3

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

20 **Article – Transportation**

21 13–618.

22 ~~(a) The Administration [may] SHALL issue A special [commemorative~~
23 ~~original or substitute registration plates for any geographical, historical, natural~~
24 ~~resource, or environmental commemoration of statewide significance] CHESAPEAKE~~
25 ~~BAY COMMEMORATIVE REGISTRATION PLATE.~~

26 ~~(b) The owner of a vehicle, or a lessee of the vehicle under a lease not~~
27 ~~intended as security, or a director, officer, employee, or partner of a business entity~~
28 ~~that owns the vehicle considered eligible by the Administration may apply to the~~
29 ~~Administration for the assignment of a commemorative registration plate under this~~
30 ~~section if the vehicle is included in one of the following classes:~~

31 ~~(1) A Class A (passenger) vehicle;~~

32 ~~(2) A Class E (truck) vehicle with a manufacturer's rated capacity of~~
33 ~~one ton or less;~~

34 ~~(3) A Class G (trailer) vehicle; or~~

35 ~~(4) A Class M (multipurpose) vehicle.~~

1 ~~(e) [(1) An original or substitute commemorative plate may only be issued~~
2 ~~under this section for a fixed period of 2 consecutive years after its initial issuance.~~

3 ~~(2) The Administration may only issue one commemorative plate~~
4 ~~under this section at any one time.~~

5 ~~(d)] (1) In addition to the annual registration fee otherwise required under~~
6 ~~this title, an owner of a vehicle assigned a commemorative registration plate under~~
7 ~~this section shall pay:~~

8 ~~(i) An additional initial registration fee set by the~~
9 ~~Administration when the new registration plates are issued to the vehicle under this~~
10 ~~section; or~~

11 ~~(ii) An additional renewal fee set by the Administration each~~
12 ~~time the plate is renewed.~~

13 ~~(2) (i) The Administration shall set the additional initial~~
14 ~~registration fee at a level that will enable the Administration to recover its costs under~~
15 ~~this section.~~

16 ~~(ii) The Administration may set the additional initial~~
17 ~~registration fee at a level that is sufficient to result in a surplus after costs are~~
18 ~~subtracted.~~

19 ~~(iii) The Administration shall retain a portion of the additional~~
20 ~~initial registration fee that is sufficient to allow the Administration to recover any~~
21 ~~costs of issuing and distributing commemorative plates under this section.~~

22 ~~(iv) Any surplus moneys remaining after the Administration has~~
23 ~~recovered the costs of issuing a commemorative plate under this section and moneys~~
24 ~~collected for additional renewal fees may not be retained by or transferred to any~~
25 ~~agency of the State for any purpose.~~

26 ~~(v) Notwithstanding subparagraph (iv) of this paragraph, the~~
27 ~~surplus moneys and moneys collected for additional renewal fees [may be retained for~~
28 ~~the purpose described in paragraph (3) of this subsection] **SHALL BE DISBURSED BY**~~
29 ~~**THE ADMINISTRATION TO THE CHESAPEAKE BAY TRUST.**~~

30 ~~(3) [The surplus moneys and moneys collected for additional renewal~~
31 ~~fees shall be disbursed by the Administration to a nonprofit organization that is:~~

32 ~~(i) Closely related to the geographical, historical, natural~~
33 ~~resource, or environmental theme which the plate commemorates; and~~

1 (ii) ~~Designated by the Administration under subsection (c) of~~
2 ~~this section.~~

3 (4) ~~No portion of the additional initial registration or renewal fees may~~
4 ~~be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under~~
5 ~~§ 8-403 or § 8-404 of this article.~~

6 ~~[(c)] (D) (1) The Administration shall adopt regulations not inconsistent~~
7 ~~with the Maryland Vehicle Law to govern the issuance of special registration plates~~
8 ~~under this section, INCLUDING REGULATIONS DETAILING THE PLAN OF~~
9 ~~DISTRIBUTION OF THE FUNDS.~~

10 (2) ~~[Before designating any nonprofit organization to receive any~~
11 ~~surplus moneys or moneys collected for additional renewal fees and before distributing~~
12 ~~the moneys to any nonprofit organization, the Administration shall adopt regulations~~
13 ~~specific to each new commemorative plate detailing:~~

14 (i) ~~The name and nature of the nonprofit organization receiving~~
15 ~~the money;~~

16 (ii) ~~The relationship of the nonprofit organization to the~~
17 ~~geographical, historical, natural resource, or environmental theme which the plate~~
18 ~~commemorates; and~~

19 (iii) ~~The plan of distribution of the funds.~~

20 (3) ~~The Administration shall consult with the [nonprofit organization~~
21 ~~designated to receive moneys under this section] CHESAPEAKE BAY TRUST to~~
22 ~~establish a schedule under which the Administration will transfer to the [nonprofit~~
23 ~~organization] TRUST revenue collected on behalf of the [nonprofit organization]~~
24 ~~TRUST under this section.~~

25 ~~[(f)] (E) The additional fees to the annual registration fee required by this~~
26 ~~section are not required for special registration of a vehicle that is exempt under~~
27 ~~§ 13-903 of this title[, or a vehicle with a special registration plate recognizing:~~

28 (1) ~~The Maryland National Guard; or~~

29 (2) ~~A volunteer fire department, volunteer rescue squad, or volunteer~~
30 ~~ambulance company in this State].~~

31 ~~[(g)] (F) (1) A COMMEMORATIVE REGISTRATION PLATE ISSUED~~
32 ~~UNDER THIS SECTION SHALL DISPLAY:~~

33 (1) ~~A special registration number [as specified] ASSIGNED by~~
34 ~~the Administration [and assigned under this section] THAT may consist of[:~~

1 (i) ~~Any] ANY combination of:~~

2 ~~1. Letters; and~~

3 ~~2. Numerals; and~~

4 (ii) ~~[Any] A design approved by the Administration that~~
 5 ~~adequately reflects the [geographical, historical, natural resource, or environmental]~~
 6 ~~CHESAPEAKE BAY theme [which] THAT the plate commemorates.~~

7 (2) ~~[A special registration number or design assigned under this~~
 8 ~~section shall be displayed on the registration plates for the vehicle.~~

9 (3) ~~The Administration shall consult with the [nonprofit organization~~
 10 ~~designated to receive moneys under this section] CHESAPEAKE BAY TRUST with~~
 11 ~~respect to [any] THE design of the Chesapeake Bay Commemorative [License]~~
 12 ~~REGISTRATION Plate.~~

13 (a) The Administration may issue special commemorative original or
 14 substitute registration plates for any geographical, historical, natural resource, or
 15 environmental commemoration of statewide significance.

16 (b) The owner of a vehicle, or a lessee of the vehicle under a lease not
 17 intended as security, or a director, officer, employee, or partner of a business entity
 18 that owns the vehicle considered eligible by the Administration may apply to the
 19 Administration for the assignment of a commemorative registration plate under this
 20 section if the vehicle is included in one of the following classes:

21 (1) A Class A (passenger) vehicle;

22 (2) A Class E (truck) vehicle with a manufacturer's rated capacity of
 23 one ton or less;

24 (3) A Class G (trailer) vehicle; or

25 (4) A Class M (multipurpose) vehicle.

26 (c) (1) An original or substitute commemorative plate may only be issued
 27 under this section for a fixed period of 2 consecutive years after its initial issuance.

28 (2) The Administration may only issue one commemorative plate
 29 under this section at any one time.

1 (d) (1) In addition to the annual registration fee otherwise required under
2 this title, an owner of a vehicle assigned a commemorative registration plate under
3 this section shall pay:

4 (i) An additional initial registration fee set by the
5 Administration when the new registration plates are issued to the vehicle under this
6 section; or

7 (ii) An additional renewal fee set by the Administration each
8 time the plate is renewed.

9 (2) (i) The Administration shall set the additional initial
10 registration fee at a level that will enable the Administration to recover its costs under
11 this section.

12 (ii) The Administration may set the additional initial
13 registration fee at a level that is sufficient to result in a surplus after costs are
14 subtracted.

15 (iii) The Administration shall retain a portion of the additional
16 initial registration fee that is sufficient to allow the Administration to recover any
17 costs of issuing and distributing commemorative plates under this section.

18 (iv) Any surplus moneys remaining after the Administration has
19 recovered the costs of issuing a commemorative plate under this section and moneys
20 collected for additional renewal fees may not be retained by or transferred to any
21 agency of the State for any purpose.

22 (v) Notwithstanding subparagraph (iv) of this paragraph, the
23 surplus moneys and moneys collected for additional renewal fees may be retained for
24 the purpose described in paragraph (3) of this subsection.

25 (3) The surplus moneys and moneys collected for additional renewal
26 fees shall be disbursed by the Administration to a nonprofit organization that is:

27 (i) Closely related to the geographical, historical, natural
28 resource, or environmental theme which the plate commemorates; and

29 (ii) Designated by the Administration under subsection (e) of
30 this section.

31 (4) No portion of the additional initial registration or renewal fees may
32 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under
33 § 8-403 or § 8-404 of this article.

1 (e) (1) The Administration shall adopt regulations not inconsistent with
2 the Maryland Vehicle Law to govern the issuance of special registration plates under
3 this section.

4 (2) Before designating any nonprofit organization to receive any
5 surplus moneys or moneys collected for additional renewal fees and before distributing
6 the moneys to any nonprofit organization, the Administration shall adopt regulations
7 specific to each new commemorative plate detailing:

8 (i) The name and nature of the nonprofit organization receiving
9 the money;

10 (ii) The relationship of the nonprofit organization to the
11 geographical, historical, natural resource, or environmental theme which the plate
12 commemorates; and

13 (iii) The plan of distribution of the funds.

14 (3) The Administration shall consult with the nonprofit organization
15 designated to receive moneys under this section to establish a schedule under which
16 the Administration will transfer to the nonprofit organization revenue collected on
17 behalf of the nonprofit organization under this section.

18 (f) The additional fees to the annual registration fee required by this section
19 are not required for special registration of a vehicle that is exempt under § 13–903 of
20 this title, or a vehicle with a special registration plate recognizing:

21 (1) The Maryland National Guard; or

22 (2) A volunteer fire department, volunteer rescue squad, or volunteer
23 ambulance company in this State.

24 (g) (1) A special registration number as specified by the Administration
25 and assigned under this section may consist of:

26 (i) Any combination of:

27 1. Letters; and

28 2. Numerals; and

29 (ii) Any design approved by the Administration that adequately
30 reflects the geographical, historical, natural resource, or environmental theme which
31 the plate commemorates.

32 (2) A special registration number or design assigned under this section
33 shall be displayed on the registration plates for the vehicle.

1 (3) The Administration shall consult with the nonprofit organization
2 designated to receive moneys under this section with respect to any design of the
3 Chesapeake Bay Commemorative License Plate.

4 13-619.2.

5 (a) In consultation with the Maryland Agricultural Education Foundation,
6 Inc. the Administration shall develop and make available for qualifying vehicles a
7 specially designed registration plate honoring Maryland agriculture.

8 (b) The owner of a vehicle, or a lessee of the vehicle under a lease not
9 intended as security, or a director, officer, employee, or partner of a business entity
10 that owns the vehicle considered eligible by the Administration may apply to the
11 Administration for an original or substitute registration plate under this section if the
12 vehicle is included in one of the following classes:

13 (1) A Class A (passenger) vehicle;

14 (2) A Class E (truck) vehicle with a manufacturer's rated capacity of
15 one ton or less;

16 (3) A Class E (farm truck) vehicle;

17 (4) A Class G (trailer) vehicle; or

18 (5) A Class M (multipurpose) vehicle.

19 (c) (1) In addition to the annual registration fee otherwise required under
20 this title, an owner of a vehicle assigned a registration plate under this section shall
21 pay:

22 (i) When initially issued the registration plate, a onetime fee
23 set by the Administration to recover the Administration's costs under this section; and

24 (ii) When initially issued the registration plate, and each time
25 the registration plate is renewed, an additional fee set by the Administration to
26 benefit the Maryland Agricultural Education Foundation, Inc.

27 (2) The additional fee collected under this section is not required for
28 special registration of a vehicle that is exempt under § 13-903 of this title.

29 (3) No portion of the fee collected under this section may be credited to
30 the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or §
31 8-404 of this article.

1 (d) The Administration shall consult with the Maryland Agricultural
2 Education Foundation, Inc. on:

3 (1) The design of a registration plate to be issued under this section to
4 honor Maryland agriculture;

5 (2) The setting of the fee to be charged under subsection (c)(1)(ii) of
6 this section at a level intended to encourage the purchase of the registration plate
7 issued under this section while providing a continuous revenue source to benefit the
8 Foundation; and

9 (3) A schedule under which the Administration will transfer to the
10 Foundation revenue collected on the Foundation's behalf.

11 (e) The Administration shall adopt regulations to govern the issuance of
12 special registration plates under this section.

13 **Chapter 251 of the Acts of 2000, as amended by Chapter 398 of the Acts of**
14 **2003 and Chapters 135 and 136 of the Acts of 2007**

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2000. ~~It shall remain effective for a period of 21 years and, at the end of~~
17 ~~June 30, 2013~~ **2021**, with no further action required by the General Assembly, this Act
18 shall be abrogated and of no further force and effect.†

19 **Chapter 3 of the Acts of the First Special Session of 1992, as amended by**
20 **Chapter 91 of the Acts of 1994, Chapter 356 of the Acts of 1996, Chapter 141 of**
21 **the Acts of 1998, Chapter 340 of the Acts of 2000, Chapter 34 of the Acts of**
22 **2002, Chapter 398 of the Acts of 2003, and Chapters 135 and 136 of the Acts of**
23 **2007**

24 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the
25 provisions of § 13-618(c) of the Transportation Article, the Motor Vehicle
26 Administration shall extend the Chesapeake Bay Commemorative Plate Program until
27 July 1, [2013] 2021.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2012.