

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 859

(Senator Sydnor)

Judicial Proceedings

Environment and Transportation

Vehicle Laws - Registration Plate Frames and Borders - Enforcement

This bill subjects only to secondary enforcement a violation involving the placement of an object framing or bordering the edges of a registration plate. Under secondary enforcement, a police officer may not issue a citation to a driver for violating this provision unless the police officer has first detained the driver for another suspected violation of State law.

Fiscal Summary

State Effect: Minimal revenue decrease to the extent that citations are not issued for placement of an object framing or bordering the edges of a registration plate. Enforcement can be handled with existing resources.

Local Effect: Enforcement can be handled with existing resources. Revenues are not affected.

Small Business Effect: Potential minimal.

Analysis

Current Law: On a vehicle for which two registration plates are required, one plate must be attached on the front and the other on the rear of the vehicle. At all times, each registration plate must be:

- maintained free from foreign materials (including registration plate covers) and in a condition to be clearly legible; and

- securely fastened to the vehicle for which it is issued (1) in a horizontal position; (2) in a manner that prevents the plate from swinging; and (3) in a place and position to be clearly visible.

A violation of either of these provisions is a misdemeanor, subject to a maximum fine of \$500. The prepayment penalty established by the District Court is \$70.

Except as otherwise specified, violations of the Maryland Vehicle Law are subject to primary enforcement. Accordingly, a police officer may detain a driver for a suspected violation of most provisions of the Maryland Vehicle Law without having to first suspect a violation of another State law.

Background: In fiscal 2019, the District Court advises there were 3,214 violations issued for failure to maintain a legible registration plate free from foreign materials or covers. However, it is not known how many of those citations were issued due to an object framing or bordering the edges of a registration plate.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 200 (Delegate W. Fisher, *et al.*) - Environment and Transportation.

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

Fiscal Note History: First Reader - February 12, 2020
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