

# SENATE BILL 629

R2, Q5

4lr1290

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By: **Senator Madaleno**

Introduced and read first time: January 30, 2014

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Counties and Municipalities – Vehicle Registration Fee Surcharge**

3 FOR the purpose of authorizing a county or municipal corporation to impose, by  
4 ordinance or resolution, an annual vehicle registration fee surcharge; providing  
5 that the surcharge may only be increased in certain increments and may not  
6 exceed a certain amount; providing that a municipal corporation may not  
7 impose a surcharge that is greater than the difference between the surcharge of  
8 the county in which the municipal corporation is located and the maximum  
9 amount of the surcharge that may be imposed; requiring a county or municipal  
10 corporation that imposes a surcharge to notify the Motor Vehicle  
11 Administration of certain information; requiring the Administration to collect  
12 the surcharge before issuance or renewal of certain vehicle registrations;  
13 providing that revenues from the surcharges are not credited to a certain  
14 account; requiring the Comptroller, from money received from certain sources,  
15 to pay certain amounts to a county or municipality that imposes the surcharge;  
16 excluding the surcharge from a certain definition; providing a refund of the  
17 surcharge, under certain circumstances, to owners of certain vehicles; and  
18 generally relating to the authority of a county or municipal corporation to  
19 impose a vehicle registration fee surcharge.

20 BY repealing and reenacting, without amendments,  
21 Article – Transportation  
22 Section 12–118(a)  
23 Annotated Code of Maryland  
24 (2012 Replacement Volume and 2013 Supplement)

25 BY repealing and reenacting, with amendments,  
26 Article – Transportation  
27 Section 12–118(b), 12–120(a), and 13–938  
28 Annotated Code of Maryland  
29 (2012 Replacement Volume and 2013 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Transportation  
3 Section 12–118(f) and 13–956  
4 Annotated Code of Maryland  
5 (2012 Replacement Volume and 2013 Supplement)

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

8 **Article – Transportation**

9 12–118.

10 (a) Except as specifically provided by law, all money received under the  
11 Maryland Vehicle Law shall be accounted for and remitted to the State Comptroller.

12 (b) Out of the money remitted to the State Comptroller under the Maryland  
13 Vehicle Law, the State Comptroller shall:

14 (1) Pay or retain enough to pay all refunds of taxes or fees provided for  
15 in the Maryland Vehicle Law;

16 (2) Credit to the Gasoline and Motor Vehicle Revenue Account of the  
17 Transportation Trust Fund the revenues specified in § 8–402 of this article, after  
18 retaining enough to pay:

19 (i) The salaries and other expenses of the State Highway  
20 Administration in enforcing Title 24 of this article;

21 (ii) The salaries and other expenses of the Commercial Vehicle  
22 Enforcement Division of the Department of State Police as approved by the  
23 Department in enforcing Title 23, Subtitle 4 of this article, Title 24 of this article, the  
24 provisions of the Tax – General Article on the motor carrier tax, and the provisions of  
25 Title 10 of the Business Regulation Article on motor fuel fraud and motor fuel tax  
26 fraud;

27 (iii) Funds required, in addition to the funding provided in §  
28 13–804 of this article, for the salaries and other expenses of the Automotive Safety  
29 Enforcement Division of the Department of State Police as approved by the  
30 Department in enforcing Title 23 of this article and Subtitle 6 of Title 22 of this article;  
31 and

32 (iv) The salaries and other expenses of the Department of State  
33 Police and other State agencies, as approved by the Department, in enforcing the  
34 provisions of § 25–111 of this article; [and]

1           (3)   **PAY TO A COUNTY OR MUNICIPAL CORPORATION THAT**  
2 **IMPOSES A COUNTY OR MUNICIPAL CORPORATION VEHICLE REGISTRATION FEE**  
3 **SURCHARGE UNDER § 13-956 OF THIS ARTICLE:**

4                   **(I)   THE AMOUNT OF REVENUE ATTRIBUTABLE TO THE**  
5 **COUNTY'S OR MUNICIPAL CORPORATION'S VEHICLE REGISTRATION FEE**  
6 **SURCHARGE; AND**

7                   **(II)   AN ADDITIONAL AMOUNT EQUAL TO THE AMOUNT PAID**  
8 **UNDER ITEM (I) OF THIS ITEM; AND**

9           (4)   Credit the balance to the Transportation Trust Fund.

10           **(F)   THE REVENUE PAID TO A COUNTY OR MUNICIPAL CORPORATION**  
11 **UNDER SUBSECTION (B)(3) OF THIS SECTION MAY BE USED ONLY FOR THE**  
12 **PURPOSES AUTHORIZED UNDER TITLE 8, SUBTITLE 4 OF THIS ARTICLE.**

13 12-120.

14           (a)   In this section, "miscellaneous fees" means all fees collected by the  
15 Administration under this article other than:

16                   (1)   The vehicle titling tax;

17                   (2)   One-half of the certificate of title fee under § 13-802 of this article;

18 [and]

19                   (3)   Vehicle registration fees under Part II of Title 13, Subtitle 9 of this  
20 article; AND

21                   **(4)   COUNTY   OR   MUNICIPAL   CORPORATION   VEHICLE**  
22 **REGISTRATION FEE SURCHARGES AUTHORIZED UNDER § 13-956 OF THIS**  
23 **ARTICLE.**

24 13-938.

25           If registration plates issued for a vehicle registered under this part have never  
26 been used, the owner of the vehicle for which the plates were issued is entitled to a  
27 refund of the Maryland registration fee **AND THE COUNTY OR MUNICIPAL**  
28 **CORPORATION VEHICLE REGISTRATION FEE SURCHARGE** paid less an  
29 administrative fee established by the Administration if, during the registration year  
30 for which the registration plates were issued, the owner:

31                   (1)   Applies to the Administration for a refund; and

- 1           (2)   Surrenders to the Administration:
- 2                   (i)    The registration card issued for the vehicle; and
- 3                   (ii)   The unused registration plates.

4   **13-956.**

5           **(A)   SUBJECT TO THE LIMITATIONS OF THIS SECTION, A COUNTY OR**  
6 **MUNICIPAL CORPORATION MAY IMPOSE, BY ORDINANCE OR RESOLUTION, AN**  
7 **ANNUAL VEHICLE REGISTRATION FEE SURCHARGE FOR THE REGISTRATION OF**  
8 **A CLASSIFIED VEHICLE.**

9           **(B)   THE ANNUAL VEHICLE REGISTRATION FEE SURCHARGE**  
10 **AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION:**

11                   **(1)   MAY BE IMPOSED OR INCREASED ONLY IN INCREMENTS OF**  
12 **\$5; AND**

13                   **(2)   MAY NOT EXCEED \$20.**

14           **(C)   (1)   A MUNICIPAL CORPORATION MAY NOT IMPOSE AN ANNUAL**  
15 **VEHICLE REGISTRATION FEE SURCHARGE THAT IS GREATER THAN THE**  
16 **DIFFERENCE BETWEEN THE ANNUAL VEHICLE REGISTRATION FEE SURCHARGE**  
17 **IMPOSED BY THE COUNTY IN WHICH THE MUNICIPAL CORPORATION IS LOCATED**  
18 **AND \$20.**

19                   **(2)   IF THE COMBINED COUNTY AND MUNICIPAL CORPORATION**  
20 **VEHICLE REGISTRATION FEE SURCHARGES ARE GREATER THAN \$20, A**  
21 **MUNICIPAL CORPORATION SHALL REDUCE THE ANNUAL MUNICIPAL**  
22 **CORPORATION VEHICLE REGISTRATION FEE SURCHARGE TO AN AMOUNT THAT,**  
23 **WHEN COMBINED WITH THE COUNTY VEHICLE REGISTRATION FEE SURCHARGE,**  
24 **DOES NOT EXCEED \$20.**

25           **(D)   IF A COUNTY OR MUNICIPAL CORPORATION IMPOSES OR CHANGES**  
26 **THE REGISTRATION FEE SURCHARGE AUTHORIZED UNDER SUBSECTION (A) OF**  
27 **THIS SECTION, THE COUNTY OR MUNICIPAL CORPORATION SHALL GIVE THE**  
28 **ADMINISTRATION AND COMPTROLLER NOTICE OF:**

29                   **(1)   THE REGISTRATION FEE SURCHARGE CHANGE; AND**

30                   **(2)   THE EFFECTIVE DATE OF THE REGISTRATION FEE**  
31 **SURCHARGE CHANGE.**

1           **(E) THE ADMINISTRATION SHALL COLLECT THE ANNUAL COUNTY OR**  
2 **MUNICIPAL CORPORATION VEHICLE REGISTRATION FEE SURCHARGE BEFORE**  
3 **THE ISSUANCE OR RENEWAL OF THE REGISTRATION OF A CLASSIFIED VEHICLE**  
4 **THAT IS REGISTERED TO AN ADDRESS THAT IS LOCATED IN THE COUNTY OR**  
5 **MUNICIPAL CORPORATION.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 June 1, 2014.