

HOUSE BILL 1

R4

6lr0408

(PRE-FILED)

By: ~~Delegates Barve and Beidle~~, **Beidle, Fraser-Hidalgo, Frush, Lam, McCray, Moon, Stein, Carr, Gilchrist, Healey, Holmes, Jalisi, Knotts, S. Robinson, and Szeliga**

Requested: June 24, 2015

Introduced and read first time: January 13, 2016

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 23, 2016

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Special Registration Plates – Confederate Battle Flag**

3 FOR the purpose of prohibiting the Motor Vehicle Administration from transferring to
4 another vehicle a special registration plate that displays an emblem or a logo that
5 depicts the Confederate battle flag; prohibiting the Administration from authorizing
6 the display of an emblem or a logo that depicts the Confederate battle flag on special
7 registration plates or a special registration plate; prohibiting the Administration
8 from renewing the registration of a motor vehicle that displays an emblem or a logo
9 that depicts the Confederate battle flag on its special registration plates or plate
10 until the special registration plates or plate is returned to the Administration in
11 exchange for substitute registration plates; and generally relating to the display on
12 special registration plates of emblems or logos that depict the Confederate battle
13 flag.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 13–502.1 and 13–619
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2015 Supplement)

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

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.



Article – Transportation

13–502.1.

(a) **[The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE** former registered owner of a transferred vehicle may have its plates and registration number transferred to another vehicle in the same classification by applying to the Administration and paying a transfer fee established by the Administration.

(b) (1) If the vehicle to which the transfer is made is one for which the registration fee is higher than that required for the former vehicle, the owner shall pay, in addition to the transfer fee, the difference between the registration fee paid for the former vehicle and the registration fee otherwise required for the vehicle to which the transfer is made.

(2) If the vehicle to which the transfer is made is one for which the registration fee is lower than that required for the former vehicle, the Administration need not make any refunds of the difference.

(C) THE ADMINISTRATION MAY NOT TRANSFER TO ANOTHER VEHICLE SPECIAL REGISTRATION PLATES OR A SPECIAL REGISTRATION PLATE ISSUED UNDER § 13–619 OF THIS TITLE THAT DISPLAYS AN EMBLEM OR A LOGO THAT DEPICTS THE CONFEDERATE BATTLE FLAG.

13–619.

(a) The owner of a motor vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle who is a member or, subject to subsection (c)(3) of this section, the surviving spouse of a member, of an organization considered eligible by the Administration may apply to the Administration for the assignment of a special registration number if the vehicle is included in one of the following classes:

(1) A Class A (passenger) vehicle;

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

(3) A Class M (multipurpose) vehicle.

(b) (1) In this subsection, "motorcyclist organization" means a motorcyclist organization, institution, association, society, or corporation that:

(i) Is exempt from taxation under § 501(c)(7) of the Internal Revenue Code; and

1 (ii) Is determined by the Administration to be eligible under this
2 section.

3 (2) The owner of a Class D (motorcycle) vehicle who is a member of a
4 motorcyclist organization may apply to the Administration for the assignment of a special
5 registration number for the vehicle.

6 (c) The Administration may issue and continue a special registration number
7 under this section if:

8 (1) The owner of the motor vehicle submits, with the original application,
9 proof satisfactory to the Administration that the owner of the vehicle is a member of a
10 nonprofit organization and complies with the regulations adopted by the Administration
11 under subsection (d) of this section;

12 (2) At least 25 owners of vehicles in a class apply to the Administration for
13 the assignment of special registration numbers, and at least 25 special registration
14 numbers are issued initially; and

15 (3) In the case of an owner who is applying as a surviving spouse, the owner
16 submits proof satisfactory to the Administration that at the time of death of the owner's
17 spouse, the deceased spouse was the holder of a special registration number issued under
18 this section.

19 (d) The Administration shall adopt regulations not inconsistent with the
20 Maryland Vehicle Law to govern the issuance of special registration plates to members of
21 nonprofit organizations under this section.

22 (e) (1) In addition to the annual registration fee otherwise required under this
23 title, an owner of a vehicle assigned a special registration under this section shall pay a fee
24 determined by the Administration each time new registration plates are issued for the
25 vehicle.

26 (2) The fee:

27 (i) May not exceed the amount required to enable the
28 Administration to recover its costs under this section;

29 (ii) Shall be retained by the Administration for the purpose of
30 recovering its cost under this section; and

31 (iii) May not be credited to the Gasoline and Motor Vehicle Revenue
32 Account for distribution under § 8-403 or § 8-404 of this article.

1 (f) The additional fee required under subsection (e) of this section is not required
2 for special registration of a vehicle that is exempt under § 13-903 of this title, or a vehicle
3 with a special registration plate recognizing:

4 (1) The Maryland National Guard; or

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

7 (g) (1) The special registration plates or plate issued under this section may
8 consist of:

9 (i) 1. Any combination of letters, numerals, or both; and
10 2. The name, initials, or abbreviation of the name of the
11 organization; or

12 (ii) 1. Any combination of letters, numerals, or both;
13 2. The name, initials, or abbreviation of the name of the
14 organization; and

15 3. **[An] SUBJECT TO PARAGRAPH (4) OF THIS**
16 **SUBSECTION, AN emblem or logo as authorized by the Administration that depicts the**
17 **organization.**

18 (2) A special registration number assigned under this section shall be
19 displayed on the registration plates or plate for the vehicle.

20 (3) An organization may, at its option, receive a special registration under
21 either paragraph (1)(i) or paragraph (1)(ii) of this subsection, but not under both.

22 **(4) THE ADMINISTRATION MAY NOT:**

23 **(I) AUTHORIZE THE DISPLAY OF AN EMBLEM OR A LOGO THAT**
24 **DEPICTS THE CONFEDERATE BATTLE FLAG ON SPECIAL REGISTRATION PLATES OR**
25 **A SPECIAL REGISTRATION PLATE; OR**

26 **(II) RENEW THE REGISTRATION OF A MOTOR VEHICLE THAT**
27 **DISPLAYS AN EMBLEM OR A LOGO THAT DEPICTS THE CONFEDERATE BATTLE FLAG**
28 **ON ITS SPECIAL REGISTRATION PLATES OR PLATE UNTIL THE SPECIAL**
29 **REGISTRATION PLATES OR PLATE IS RETURNED TO THE ADMINISTRATION IN**
30 **EXCHANGE FOR SUBSTITUTE REGISTRATION PLATES OR A SUBSTITUTE**
31 **REGISTRATION PLATE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.