

HOUSE BILL 1

R4

6lr0408

(PRE-FILED)

By: **Delegates Barve and Beidle**

Requested: June 24, 2015

Introduced and read first time: January 13, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

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:

21 **Article – Transportation**

22 13–502.1.

23 (a) **[The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE**
24 former registered owner of a transferred vehicle may have its plates and registration

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 number transferred to another vehicle in the same classification by applying to the
2 Administration and paying a transfer fee established by the Administration.

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

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

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

15 13-619.

16 (a) The owner of a motor 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 that
18 owns the vehicle who is a member or, subject to subsection (c)(3) of this section, the
19 surviving spouse of a member, of an organization considered eligible by the Administration
20 may apply to the Administration for the assignment of a special registration number if the
21 vehicle is included in one of the following classes:

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

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

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

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

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

30 (ii) Is determined by the Administration to be eligible under this
31 section.

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

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

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

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

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

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

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

21 (2) The fee:

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

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

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

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

31 (1) The Maryland National Guard; or

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

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

3 (i) 1. Any combination of letters, numerals, or both; and
4 2. The name, initials, or abbreviation of the name of the
5 organization; or

6 (ii) 1. Any combination of letters, numerals, or both;
7 2. The name, initials, or abbreviation of the name of the
8 organization; and

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

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

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

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

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

20 **(II) RENEW THE REGISTRATION OF A MOTOR VEHICLE THAT**
21 **DISPLAYS AN EMBLEM OR A LOGO THAT DEPICTS THE CONFEDERATE BATTLE FLAG**
22 **ON ITS SPECIAL REGISTRATION PLATES OR PLATE UNTIL THE SPECIAL**
23 **REGISTRATION PLATES OR PLATE IS RETURNED TO THE ADMINISTRATION IN**
24 **EXCHANGE FOR SUBSTITUTE REGISTRATION PLATES OR A SUBSTITUTE**
25 **REGISTRATION PLATE.**

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