

SENATE BILL 292

N2

8lr1476

By: **Senators Norman, Brochin, Eckardt, Ready, Salling, and Young**

Introduced and read first time: January 22, 2018

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 21, 2018

CHAPTER _____

1 AN ACT concerning

2 **Estates – Administration Exemption – Transfer of Motor Vehicle and Boat Titles**

3 FOR the purpose of establishing that administration of certain estates containing only
4 certain motor vehicle or boat property is not required; authorizing the Motor Vehicle
5 Administration to transfer title of certain motor vehicles under certain
6 circumstances; ~~prohibiting the Administration from requiring a person who receives~~
7 ~~title to a motor vehicle under certain circumstances to make a certain application~~
8 ~~until a certain time or submit a certain title until a certain time;~~ authorizing a
9 certain agency to transfer title of a certain boat or vessel under certain
10 circumstances; and generally relating to an administration exemption for certain
11 estates.

12 BY adding to

13 Article – Estates and Trusts

14 Section 5–608

15 Annotated Code of Maryland

16 (2017 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Estates and Trusts**

20 **5–608.**

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 (A) ~~(1)~~ IF THE ONLY PROPERTY ~~OF AN ESTATE~~ OWNED BY A DECEDENT IS
 2 NOT MORE THAN TWO MOTOR VEHICLES:

3 ~~(1)~~ (1) ADMINISTRATION OF ~~THE~~ AN ESTATE OF THE
 4 DECEDENT IS NOT REQUIRED; AND

5 ~~(1)~~ (2) THE MOTOR VEHICLE ADMINISTRATION MAY
 6 TRANSFER TITLE TO A MOTOR VEHICLE ~~IN THE ESTATE TO THE PERSON ENTITLED~~
 7 ~~TO THE MOTOR VEHICLE IF:~~

8 1. ~~THE MOTOR VEHICLE TITLE IS PROPERLY ASSIGNED~~
 9 ~~BY THE PERSONAL REPRESENTATIVE OF THE DECEASED OWNER OF THE MOTOR~~
 10 ~~VEHICLE;~~

11 2. ~~THE~~ OWNED BY THE DECEDENT TO THE SURVIVING
 12 SPOUSE IF:

13 (1) THE SURVIVING SPOUSE CERTIFIES TO THE MOTOR
 14 VEHICLE ADMINISTRATION IS SATISFIED THAT ALL DEBTS AND TAXES OWED BY THE
 15 DECEDENT ON THE MOTOR VEHICLE HAVE BEEN PAID; AND

16 3. (II) THE MOTOR VEHICLE ADMINISTRATION RECEIVES
 17 A CERTIFICATE OF LETTERS TESTAMENTARY OR OF ADMINISTRATION ISSUED BY A
 18 COURT OF COMPETENT JURISDICTION COPY OF THE DECEDENT'S DEATH
 19 CERTIFICATE AND SUITABLE PROOF OF THE EXISTENCE OF THE MARRIAGE.

20 (2) ~~THE MOTOR VEHICLE ADMINISTRATION MAY NOT REQUIRE A~~
 21 ~~PERSON WHO RECEIVES TITLE TO A MOTOR VEHICLE UNDER PARAGRAPH (1) OF~~
 22 ~~THIS SUBSECTION TO:~~

23 (I) ~~APPLY FOR A NEW CERTIFICATE OF TITLE FOR THE MOTOR~~
 24 ~~VEHICLE UNTIL THE EXPIRATION OF THE LAST ANNUAL REGISTRATION IN THE NAME~~
 25 ~~OF THE DECEASED OWNER; OR~~

26 (II) ~~SUBMIT THE CERTIFICATE OF TITLE UNTIL THE~~
 27 ~~APPLICATION FOR A NEW CERTIFICATE OF TITLE IS MADE.~~

28 (B) IF THE ONLY PROPERTY ~~OF AN ESTATE~~ OWNED BY A DECEDENT IS A
 29 BOAT OR VESSEL WITH AN APPRAISED VALUE THAT DOES NOT EXCEED \$5,000:

30 (1) ADMINISTRATION OF ~~THE~~ AN ESTATE OF A ~~THE~~ DECEDENT IS NOT
 31 REQUIRED; AND

1 **(2) THE AGENCY THAT ISSUED THE CERTIFICATE OF TITLE MAY**
2 **TRANSFER THE CERTIFICATE OF TITLE FOR THE BOAT OR VESSEL TO THE ~~PERSON~~**
3 **~~ENTITLED TO THE BOAT OR VESSEL~~ SURVIVING SPOUSE OF THE DECEDENT IF:**

4 **(I) ~~THE AGENCY IS SATISFIED~~ SURVIVING SPOUSE CERTIFIES**
5 **TO THE AGENCY THAT ALL DEBTS AND TAXES OWED BY THE DECEDENT ~~ON THE BOAT~~**
6 **~~OR VESSEL~~ HAVE BEEN PAID; ~~AND~~**

7 **(II) THE AGENCY RECEIVES SATISFACTORY EVIDENCE OF THE**
8 **VALUE OF THE BOAT OR VESSEL, WHICH MAY BE PROVIDED BY A STATEMENT SIGNED**
9 **BY TWO INDIVIDUALS STATING THAT:**

10 **1. THEY HAVE PERSONAL KNOWLEDGE OF THE VALUE**
11 **OF BOATS OR VESSELS OF THE TYPE THAT IS IN THE ESTATE; AND**

12 **2. THE VALUE OF THE BOAT OR VESSEL DOES NOT**
13 **EXCEED \$5,000; AND**

14 **(III) THE AGENCY RECEIVES A COPY OF THE DECEDENT’S DEATH**
15 **CERTIFICATE AND SUITABLE PROOF OF THE EXISTENCE OF THE MARRIAGE.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2018.

Approved:

_____ Governor.

_____ President of the Senate.

_____ Speaker of the House of Delegates.