

HOUSE BILL 157

R4

0lr0053

By: **Chair, Environment and Transportation Committee (By Request –
Departmental – Transportation)**

Introduced and read first time: January 15, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Business or Occupational Licenses – Administrative Penalties**

3 FOR the purpose of authorizing the Motor Vehicle Administration to suspend a business or
4 occupational license before holding an administrative hearing if the Administration
5 determines that the license holder is in violation of certain used vehicle safety
6 inspection requirements and that there is a danger of immediate, substantial, and
7 continuing harm to the public if the license is continued pending a hearing; requiring
8 the Administration to grant a hearing request on the license suspension within a
9 certain time period; requiring the Administration to render a decision on the license
10 suspension immediately after the hearing; providing for the construction of this Act
11 in the event of a certain conflict of laws; and generally relating to administrative
12 penalties for vehicle business or occupational license holders.

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 15–110
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2019 Supplement)

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

20 **Article – Transportation**

21 15–110.

22 (a) If the Administration refuses an application for a license or for the renewal of
23 a license under this title, the applicant may request a hearing under Title 12, Subtitle 2 of
24 this article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) [The] **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE**
2 Administration may suspend or revoke a license issued under this title only after a hearing
3 under Title 12, Subtitle 2 of this article.

4 (c) (1) **IF THE ADMINISTRATION DETERMINES THAT A PERSON LICENSED**
5 **UNDER THIS TITLE IS VIOLATING THE USED VEHICLE SAFETY INSPECTION**
6 **REQUIREMENTS UNDER § 23-106 OF THIS ARTICLE AND THAT THERE IS A DANGER**
7 **OF IMMEDIATE, SUBSTANTIAL, AND CONTINUING HARM TO THE PUBLIC IF THE**
8 **LICENSE IS CONTINUED PENDING A HEARING, THE ADMINISTRATION:**

9 (i) **MAY IMMEDIATELY SUSPEND THE LICENSE;**

10 (ii) **SHALL, WITHIN 7 DAYS OF A REQUEST FOR A HEARING ON**
11 **THE LICENSE SUSPENSION, GRANT THE HEARING IN ACCORDANCE WITH TITLE 12,**
12 **SUBTITLE 2 OF THIS ARTICLE; AND**

13 (iii) **AFTER THE HEARING, RENDER AN IMMEDIATE DECISION**
14 **TO:**

15 1. **CONTINUE THE LICENSE SUSPENSION;**

16 2. **REVOKE THE LICENSE; OR**

17 3. **REINSTATE THE LICENSE.**

18 (2) **TO THE EXTENT OF A CONFLICT BETWEEN THIS SUBSECTION AND**
19 **TITLE 12, SUBTITLE 2 OF THIS ARTICLE, THIS SUBSECTION SHALL TAKE**
20 **PRECEDENCE.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2020.