

2012 LEGISLATIVE SESSION HIGHLIGHTS

Thirteen bills that passed both houses of the General Assembly will have a direct impact on MVA.

The following highlights the bills that have passed and that have a direct impact on MVA.

VEHICLE BILLS

HB 149 / SB 309 Mopeds and Motor Scooters - Titling, Insurance, and Required Use of Protective Headgear

This bill regulates use of motor scooters and mopeds. It requires all mopeds and motor scooters to be titled electronically and be issued a permanent decal to place on the rear of the motor scooter. The cost for the decal will be \$5. For the first year, (until October 1, 2013) non-new motor scooters and mopeds will be exempt from the titling fee and excise tax. After October 1, 2013, the motor scooter and moped title fee will be \$20 and the minimum excise tax will be 6% of \$320. Individuals will have to certify at the time of titling that they carry the minimum levels of liability insurance for the motor scooter / moped. Operators of motor scooters and mopeds will be required to wear motorcycle helmets and eye protection and carry an insurance card.

Effective October 1, 2012.

HB 668 Vehicle Laws - Historic Motor Vehicles - Trucks, Tractors, and Motor Homes

This bill permits Class E Trucks over 10,000 lbs, Class M Motor Homes, and Class F Trucks to register with historic registrations. The vehicles must be 25 years old or older and cannot be used for daily transportation or for any commercial purpose. Additionally, the owner must certify at the time of application that the vehicle will be used only in exhibition type events, and that the vehicle is insured by a historic or antique type motor vehicle insurance policy. These vehicles pay a reduced registration fee and are exempt from all inspections, but not exempt from repair orders. Vehicles in these classes that are older than 60 years are eligible for a one time registration fee of \$50 that does not need to be renewed.

Effective June 1, 2012.

HB 1180 Vehicle Laws - Required Security - Electronic Reporting Requirements

This bill requires insurance companies to report information to the MVA on newly insured customers immediately. The information must be reported electronically on an "immediate" basis as designated in regulation.

Effective October 1, 2012.

HB 160 / SB 401 Motor Vehicles - Towing Practices and Procedures

This bill establishes prohibitions against private trespass tows. The bill requires a private property owner who is going to tow vehicles, or have vehicles towed, from a lot to have large visible signs with the name of the towing company. Tow companies or storage yards must permit retrieval of the vehicle 24 / 7. Vehicles can be towed a maximum of 15 miles from the site of the tow. In the bill: spotters for towers are prohibited; the cost for towing and storage is capped; the tower must take a photograph of the violation; and the tower cannot tow for a lapsed registration sticker until 72 hours after attaching a warning to the vehicle.

Effective October 1, 2012.

HB 499 Vehicle Laws - Disposition of Vehicle to Automotive Dismantler and Recycler or Scrap Processor

This bill creates a new process for disposal of motor vehicles without a certificate of title or a salvage certificate. If a vehicle is going to be used for parts only or scrapped and never re-titled, a licensed Automotive Dismantler and Recycler or Scrap Processor (AD&R / SP) can take the vehicle, provide notice, hold the vehicle for 11 business days and then junk / scrap the vehicle. The AD&R / SP must keep detailed records of the transaction including recording the Driver's License and Registration of the person transferring the vehicle, inputting the information into the Maryland State Police's database, and signing an affidavit form developed by the MVA. The bill also clarifies that AD&R / SPs can apply through the police to have a vehicle retitled by using the CS78 process.

Effective October 1, 2012.

HB 435 / SB 487 Vehicle Laws – Salvage – Defective, Lost or Destroyed Certificates of Title

This bill permits an insurance company that has acquired a vehicle by way of settlement of a claim, but for which the certificate of title is defective, lost or destroyed, to submit an affidavit, along with a copy of the settlement check or other evidence of final payment, to apply for a salvage certificate.

Effective October 1, 2012.

HB 678 / SB 591 Real Property – Manufactured Homes – Affixation to and Severance from Real Property

This bill establishes a process by which a manufactured home can be converted from a vehicle to real property and vice versa.

Effective October 1, 2012.

DRIVER BILLS

SB 111 Vehicle Laws - Identification Cards and Drivers' Licenses - Period of Validity

This bill increases the maximum duration of a driver's license or identification card from 5 years to 8 years. The actual length of a driver's license or identification card's validity will be set by regulation.

Effective October 1, 2012.

SB 276 Drivers' Licenses and Identification Cards - Notation of Veteran Status

The bill permits a veteran to present documentation to the MVA to certify that the individual is a veteran of the armed forces for the purpose of placing a veteran's designation on the driver's license or identification card of the applicant. The MVA can share this data with relevant state agencies.

Effective January 1, 2013.

HB 292 / SB 506 Vehicle Laws - Provisional Driver's Licenses - Driver Education Requirements

This bill permits first time drivers over the age of 25 to take the driver skills test after a reduced learner's permit holding period of 45 days with 14 hours of self-certifying practice time.

Effective October 1, 2012.

SB 741 Vehicle Laws - U.S. Foreign Service Members Absent from State - Effective Period of Driver's License

This bill permits employees of the U.S. Foreign Service who are absent from the state, due to their employment, and their families to maintain licensure for a period of time up to 30 days from the date they return to Maryland.

Effective October 1, 2012.

HB 67 / SB 177 Vehicle Laws - Nonfunctioning Traffic Control Signals - Requirement to Stop

This bill changes the law to require that a vehicle approaching a non-functioning traffic light must stop and yield to other vehicles and pedestrians in the intersection before proceeding through the intersection.

Effective October 1, 2012.

HB 313 / SB 185 Motor Vehicles – Child Safety Seats – Requirements

This bill removes the exemption to the requirement to have children under 8 years of age secured in a child safety seat for children weighing more than 65 pounds. Children under the age of 8 must be in a child safety seat unless they are at least 4 feet 9 inches tall, regardless of weight.

Effective October 1, 2012.