

Chapter 546

(Senate Bill 344)

AN ACT concerning

Motor Vehicles – ~~Medium~~ Limited Speed Vehicles – Requirements and Prohibitions

FOR the purpose of prohibiting a person from driving a ~~medium speed~~ certain vehicle with a limited speed capability on certain highways; prohibiting a person from driving a ~~medium speed~~ certain vehicle with a limited speed capability on a highway unless the vehicle displays a certain emblem; establishing certain standards for a certain emblem; prohibiting a motor vehicle dealer from selling a ~~medium speed~~ certain vehicle with a limited speed capability unless the dealer permanently affixes a certain emblem to the vehicle and informs the buyer that certain driving restrictions apply; ~~requiring the application for registration of a medium speed vehicle to be submitted electronically; requiring a dealer of medium speed vehicles under certain circumstances to obtain a registration application from the vehicle's owner, collect registration fees, and transmit the application and fees in a certain manner within a certain time period; defining a certain term;~~ and generally relating to requirements and prohibitions for ~~medium speed~~ certain vehicles with limited speed capabilities.

BY adding to

Article – Transportation
Section ~~11-132.1~~ and 21-805.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section ~~13-403~~, 15-313, and 21-804
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 27-101(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

Article – Transportation

~~11-132.1.~~

~~“MEDIUM SPEED VEHICLE” MEANS A CLASS A (PASSENGER), CLASS D (MOTORCYCLE), OR CLASS M (MULTIPURPOSE) MOTOR VEHICLE THAT HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 25 MILES PER HOUR BUT LESS THAN 55 MILES PER HOUR.~~

~~13-403.~~

~~(a) (1) Except as provided in paragraph (2) of this subsection, the owner of a vehicle subject to registration under this subtitle shall apply to the Administration for the registration of the vehicle in a manner that the Administration requires.~~

~~(2) The application for registration of a low speed vehicle OR A MEDIUM SPEED VEHICLE shall be made by electronic transmission under § 13-610 of this title.~~

~~(b) The application shall contain the information that the Administration reasonably requires to determine if the vehicle is entitled to registration.~~

~~(c) If a licensed dealer holds a low speed vehicle OR A MEDIUM SPEED VEHICLE for sale and transfers the vehicle to a person other than another licensed dealer, the dealer shall:~~

~~(1) Obtain from the transferee a completed application;~~

~~(2) Collect all fees required to register the [low speed] vehicle under this subtitle; and~~

~~(3) Within 30 days of the date of delivery of the [low speed] vehicle, electronically transmit the application and fees in accordance with § 13-610 of this title.~~

15-313.

(a) A dealer or an agent or employee of a dealer may not use any advertisement that is in any way false, deceptive, or misleading.

(b) A dealer or an agent or employee of a dealer may not by any means advertise or offer to the public any vehicle without intent to sell it as advertised or offered.

(c) A dealer or an agent or employee of a dealer:

(1) May not state the purchase price of a vehicle in an advertisement unless the price is the full delivered purchase price of the vehicle, excluding only taxes, title fees, and any freight or dealer processing charge disclosed in accordance with § 15-311.1 of this subtitle; and

(2) Shall print the full delivered purchase price in a vehicle advertisement in the largest font used in the advertisement to provide any information related to the price of the vehicle.

(d) (1) A dealer or an agent or employee of a dealer may not place on a vehicle an insignia, logo, or other plate that advertises the name of the dealer, unless:

(i) The contract of sale for the vehicle contains a notice of the rights of the buyer described in this subsection; and

(ii) The buyer of the vehicle consents to the placement of the insignia, logo, or other plate on the vehicle.

(2) A dealer or an agent or employee of a dealer may enter into an agreement with a buyer of a vehicle to compensate the buyer in exchange for the buyer's consent to the placement on the vehicle of an insignia, logo, or other plate that advertises the name of the dealer.

(3) If a dealer or an agent or employee of a dealer places an insignia, logo, or other plate that advertises the name of the dealer without obtaining a buyer's consent, the dealer shall, at the request of the buyer, remove the advertising and make all repairs necessary to restore the vehicle to its original appearance at no charge to the buyer.

(E) A DEALER OR AN AGENT OR EMPLOYEE OF A DEALER MAY NOT SELL A ~~MEDIUM-SPEED VEHICLE~~ CLASS A (PASSENGER) OR CLASS M (MULTIPURPOSE) VEHICLE THAT HAS A MAXIMUM SPEED CAPABILITY OF MORE THAN 25 MILES PER HOUR BUT LESS THAN 55 MILES PER HOUR UNLESS THE DEALER:

(1) PERMANENTLY AFFIXES AN EMBLEM TO THE VEHICLE IN ACCORDANCE WITH § 21-805.1 OF THIS ARTICLE; AND

(2) INFORMS THE BUYER IN WRITING THAT THE VEHICLE MAY BE DRIVEN LAWFULLY ONLY ON HIGHWAYS ON WHICH THE SPEED CAPABILITY OF THE VEHICLE EXCEEDS THE POSTED MAXIMUM SPEED LIMIT FOR THE HIGHWAY BY AT LEAST 5 MILES PER HOUR.

(a) Unless reduced speed is necessary for the safe operation of the vehicle or otherwise is in compliance with law, a person may not willfully drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic.

(b) (1) If, on the basis of an engineering and traffic investigation, the State Highway Administration or a local authority determines that slow speeds on any part of a highway in its jurisdiction impede the normal and reasonable movement of traffic, the State Highway Administration or the local authority may establish a minimum speed limit for that part of the highway.

(2) Unless reduced speed is necessary for the safe operation of the vehicle or otherwise is in compliance with law, a person may not drive a vehicle below a minimum speed limit established under this subsection.

(3) A minimum speed limit established under this subsection is effective when posted on appropriate signs giving notice of the limit.

(C) A PERSON MAY NOT DRIVE A ~~MEDIUM-SPEED VEHICLE~~ CLASS A (PASSENGER) OR CLASS M (MULTIPURPOSE) VEHICLE ON A HIGHWAY IF THE MAXIMUM SPEED CAPABILITY OF THE VEHICLE DOES NOT EXCEED THE POSTED MAXIMUM SPEED LIMIT FOR THE HIGHWAY BY AT LEAST 5 MILES PER HOUR.

21-805.1.

(A) A PERSON MAY NOT DRIVE A ~~MEDIUM-SPEED VEHICLE~~ VEHICLE THAT IS DESIGNED WITH A MAXIMUM SPEED OF MORE THAN 25 MILES PER HOUR AND LESS THAN 55 MILES PER HOUR ON A HIGHWAY UNLESS THE VEHICLE PROPERLY DISPLAYS A ~~REDUCED~~ LIMITED SPEED VEHICLE EMBLEM IN ACCORDANCE WITH THIS SECTION.

(B) A ~~REDUCED~~ LIMITED SPEED VEHICLE EMBLEM REQUIRED UNDER THIS SECTION SHALL BE:

(1) A TRUNCATED EQUILATERAL TRIANGLE THAT IS AT LEAST 14 INCHES HIGH WITH A RED REFLECTIVE BORDER THAT IS AT LEAST 1.75 INCHES WIDE AND WITH A FLUORESCENT GREEN CENTER; AND

(2) PERMANENTLY AFFIXED TO THE REAR OF THE VEHICLE, WITH THE BASE DOWN AND AT A HEIGHT OF BETWEEN 3 FEET AND 5 FEET ABOVE THE GROUND.

27-101.

(a) It is a misdemeanor for any person to violate any of the provisions of the Maryland Vehicle Law unless the violation:

(1) Is declared to be a felony by the Maryland Vehicle Law or by any other law of this State; or

(2) Is punishable by a civil penalty under the applicable provision of the Maryland Vehicle Law.

(b) Except as otherwise provided in this section, any person convicted of a misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is subject to a fine of not more than \$500.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 20, 2010.