

SENATE BILL 705

R4

3lr0026

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 2, 2023

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Certificate of Title – Surviving Spouse**

3 FOR the purpose of prohibiting the Motor Vehicle Administration from charging a fee for
4 the issuance of a new certificate of title to a surviving spouse under certain
5 circumstances; and generally relating to fees for the issuance of a certificate of title
6 to a surviving spouse.

7 BY repealing and reenacting, without amendments,
8 Article – Transportation
9 Section 13–114(d)
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2022 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 13–802
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2022 Supplement)

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

19 **Article – Transportation**

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 13-114.

2 (d) (1) If the interest of an owner in a vehicle for which a certificate of title has
3 been issued passes to a legatee or distributee as a result of testamentary disposition or
4 intestate devolution:

5 (i) An application for a new certificate of title need not be made until
6 the expiration of the last annual registration in the name of the deceased owner; and

7 (ii) The certificate of title need not be submitted to the
8 Administration until the application for a new certificate of title is made.

9 (2) If title is assigned properly by the personal representative of the
10 deceased owner, a certificate of letters testamentary or of administration issued by a court
11 of competent jurisdiction in this State is sufficient authority for the Administration to
12 transfer the title of the vehicle of a deceased owner.

13 13-802.

14 (a) Except as provided in subsection (b) of this section and § 13-805 of this
15 subtitle, the fee for each certificate of title issued under this title is \$100.

16 (b) (1) The fee for each certificate of title issued for a rental vehicle is \$50.

17 (2) The fee for each certificate of title issued for an off-highway
18 recreational vehicle is \$35.

19 (3) The fee for each certificate of title issued for a motor scooter or a moped
20 is \$20.

21 (4) The fee for each certificate of title issued for a trailer with a gross
22 vehicle weight of 3,000 pounds or less is \$50 if:

23 (i) The trailer is transferred to:

24 1. A spouse, child, grandchild, parent, sibling, grandparent,
25 father-in-law, mother-in-law, son-in-law, or daughter-in-law of the transferor; or

26 2. A niece or nephew of the transferor if the transferor is at
27 least 65 years of age at the time of the transfer; and

28 (ii) No money or other valuable consideration is involved in the
29 transfer.

30 (5) On the death of a joint owner of a vehicle, the Administration may not
31 charge a fee for a new certificate of title issued for the vehicle to another joint owner who
32 is the surviving spouse.

1 **(6) ON THE DEATH OF A SOLE OWNER OF A VEHICLE, THE**
2 **ADMINISTRATION MAY NOT CHARGE A FEE FOR A NEW CERTIFICATE OF TITLE**
3 **ISSUED FOR THE VEHICLE TO A SURVIVING SPOUSE IF OWNERSHIP OF THE VEHICLE**
4 **IS TRANSFERRED IN ACCORDANCE WITH § 13–114 OF THIS TITLE.**

5 (c) The Administration may not charge a fee for a certificate of title issued for a
6 vehicle that is transferred to a trust or from a trust to one or more beneficiaries in
7 accordance with § 14.5–1001 of the Estates and Trusts Article.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.