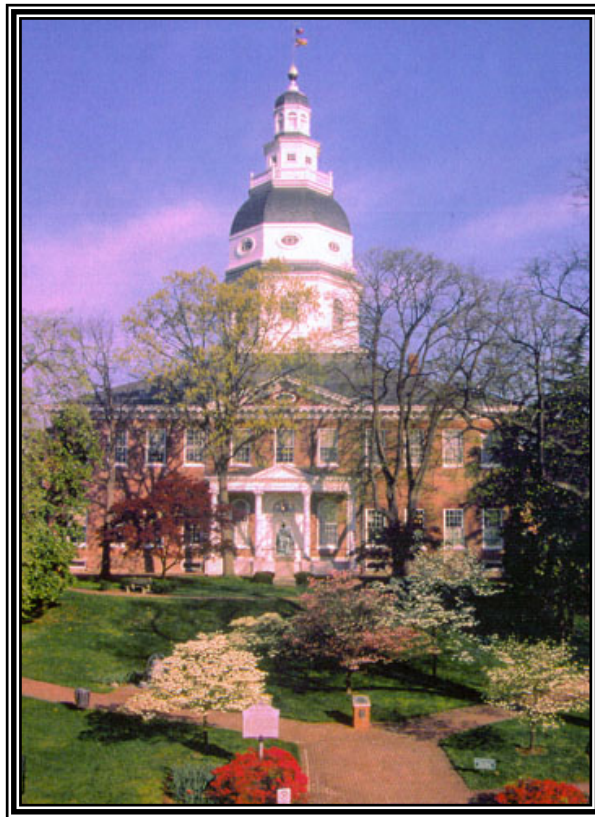


2010 LEGISLATIVE STATUS REPORT

MARYLAND/DELAWARE

INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION



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2010 LEGISLATIVE OVERVIEW

Maryland concluded its 427th General Assembly session at midnight on April 12, 2010. This session marks Governor O'Malley's fourth legislative session. He will be running for reelection in what could prove to be a rematch with past Governor Robert Ehrlich. The primary election is held in September with the general election being held on November 2, 2010. The 2010 legislative session was again dominated by the projected \$2 - \$2.5 billion deficit. The Spending Affordability Committee recommended a zero rate of budgetary growth for the 2010 session, which is the lowest level ever recommended. The state operating budget was again balanced as required by statute mainly through one-time fund transfers. The \$32 billion budget for fiscal 2011 (July 1, 2010-June 30, 2011) was -1% below the fiscal 2010 spending levels. There was a mix of spending cuts and onetime accounting maneuvers to cover the deficit, ranging from taking \$85 million from the University of Maryland to the \$9,566 taken from the State Board of Morticians and Funeral Directors. Federal stimulus funding continues to play a central role in this year's budget which could lead to significant risk with the availability of such funds very uncertain in the future. Actions taken by the General Assembly are projected to reduce the deficit in 2012 to less than \$1.6 billion compared to the \$2.6 billion projected in 2009. The final day of session, April 12, 2010, ended with two highly debated issues not receiving favorable outcomes: medical marijuana and giving tax credits for donations to private schools. The use of marijuana for medical purposes has passed in 16 states and members of the Senate and House of Delegates could not come to agreement on the bill. The legislation passed the Senate overwhelmingly by a vote of 35-12 and would allow state licensed pharmacies and dispensaries to give marijuana to patients whose physicians could attest that other treatments were not working, but the House bill never received a vote in the respective committee. Also, late Monday night a House Ways & Means subcommittee gave an unfavorable report to a bill that would have given tax credits to companies that provide donations to private schools even though the bill received strong support from the Governor and passed the Senate 30-17. Members of the House subcommittee had concerns about the constitutionality of the state aiding religious schools.

The 2010 legislative session was very reminiscent of the 2009 session with the budget continuing to bleed from lower revenues and the economy's ongoing recession. However, the big difference this year was that the entire General Assembly faces reelection this November which definitely played a role in what legislation was passed and what was not. One of the biggest issues was dealing with the unemployment insurance trust fund (UITF) which has diminished during this recessionary time. The Administration introduced legislation (SB 107 - passed) that would allow the state to receive \$126.8 million in federal funds, if Maryland expanded their current unemployment benefits. Those benefits included adopting an alternative base period and having at least two of the four additional benefits required by the Federal Government. The additional benefits included making part-time workers eligible for benefits, providing coverage to individuals who separate from work for compelling family reasons, providing training benefits for at least 26 weeks and adding \$15 weekly allowance for dependents. It is estimated that the changes in benefits that passed in SB 107 will cost the state approximately \$20 million per year, however some business groups felt that it was worth it by being able to access the federal funds in the hopes of keeping the fund solvent and lowering unemployment taxes next year.

Another highly debated issue that took center stage was regulations pertaining to stormwater management programs that each county and municipality must adopt. In May of 2009, the Maryland Department of Environment (MDE) adopted regulations requiring the use of environmental site design (ESD) techniques for all new development projects that would not have certain final plan approval by May of 2010. Once MDE provided their interpretations of the regulations in November of 2009 numerous concerns were raised by local jurisdictions, developers and others regarding the need for grandfathering projects, the cost and feasibility of ESD, the impact on redevelopment and the impact on Smart Growth planning. Meetings with interested parties prior to and early in session did not produce the results that the legislators were comfortable with. Thus, HB 1125 was introduced to provide remedies to allow for proper grandfathering and provide the local jurisdictions proper time to implement the desired provisions. In March of 2010, MDE submitted emergency regulations to the Administrative, Executive and Legislative Review Committee (AELR). The AELR voted to support the emergency regulations which would allow local governments to incorporate waiver provision into their ordinances for projects that did not receive final approval by May of 2010. Since the emergency regulations were adopted there was no reason to move forward with HB 1125.

Other gubernatorial and legislative initiatives, which were highly debated and generated considerable attention, included: a bill to implement combined reporting (*failed*); legislation to allow businesses with real property tax bills of less than \$50,000 to pay their taxes semiannually (*passed*); prohibited employers from using an applicant's credit report or credit history when making hiring decisions (*failed*); a constitutional amendment to increase, from over \$10,000 to over \$15,000, the amount in which a citizen has a right to a jury trial (*passed*); false claims act which would allow an individual to bring an action for cases involving false or fraudulent claims against a State health plan or program (*passed*); increase in the alcohol tax (*failed*); altering the notice procedures a certificate of sale must follow prior to filing for foreclosure (*passed*); create a state income tax credit of \$5,000 per eligible employee hired off the unemployment rolls with certain qualifications and restrictions (*passed*); replacing the personal property tax on heavy equipment with a gross receipts tax (*passed*); extending the "millionaires tax", a tax bracket for state residents with more than \$1 million in annual income (*failed*); increasing the salaries for elected officials (*failed*); collective bargaining rights for child care providers (*passed*); collective bargaining rights for public library employees (*failed*); increasing the penalties for sexual assaults on children (*passed*); extend eligibility for the death penalty in which fingerprint or photographic evidence conclusively links the defendant (*failed*); would prohibit the use of handheld phones except to initiate, terminate or turn the phone on or off (*passed*); mandating first time drunk driving offenders to install ignition interlock systems (*failed*); require a driver of a vehicle to safely overtake a bicycle at a distance of at least three feet (*passed*); mandated recycling program for bars and restaurants (*failed*); licensure of other tobacco product retailers, wholesalers and manufactures (*passed*); increasing the percentage requirements that must be obtained from solar energy by a supplier of electricity (*passed*); requiring each distribution utility to provide competitive suppliers with customer account information (*failed*); increasing the minimum liability for auto insurance coverage from \$20,000 for any one person and \$40,000 for any two or more persons to \$30,000 and \$60,000 respectively (*passed*); allowing card games at Rosecroft Raceway (*failed*); placed an amendment to the Maryland Constitution for the voters to allow table games at a video lottery operation (*failed*); beginning on March 1, 2011, employees who work at retail establishments with 50 or more employees would be entitled to shift breaks (*passed*); the Maryland Wine Modernization Act which makes numerous positive changes to the way Maryland wineries can

conduct their business (*passed*); prohibiting a lender from requiring a borrower to purchase an annuity as a condition of receiving an reverse mortgage loan (*passed*).

At the close of the 90-day session on April 12, 2010, the General Assembly had considered over 2,700 bills and 20 joint resolutions. Of that number, 810 bills and 4 resolutions were successful. There were 1,129 bills and six joint resolutions originating in the Senate. The House introduced 1,571 bills and 14 joint resolutions. After passage by both chambers in identical form, bills go to the Governor for consideration. The Governor's approval of the Budget Bill, SB 140, is not required and that bill becomes effective on the day of passage, which was April 10, 2010. Joint resolutions also do not need the Governor's approval.

Under the Maryland Constitution, the Governor has the option of signing, vetoing, or letting legislation become law without his signature. Further, the constitution specifies that bills must be presented to the Governor by the 20th day after adjournment (May 2, 2010) and that the Governor must act on these bills by the 30th day after presentment (June 1, 2010). Each bill that is not vetoed becomes law on the effective date specified in the bill. Emergency bills become effective immediately once they receive gubernatorial approval, otherwise June 1 is the earliest date for bills to take effect. Most budget, tax, and revenue bills take effect on July 1. October 1 is the normal effective date for other bills. Some bills have multiple effective dates as required in the legislation.

Governor Martin O'Malley signed three bills into law at the first bill signing on Thursday, March 25, 2010. On Tuesday, April 13, Governor Martin O'Malley held the traditional *sine die* bill signing, which resulted in an additional 170 enacted bills. **Two additional bill signings are scheduled for May 4 and May 20, to begin at 10:30 a.m. in the Maryland State House.**

2010 Legislative Bills

(82 Bills Monitored)

HB 9

Vehicle Laws - Vehicle Emissions Inspection - Test Performed by Dealers

Unfavorable Report by Environmental Matters

Authorizing a licensed vehicle dealer to conduct an exhaust emissions test; establishing that a dealer may conduct an exhaust emissions test only by means of an on-board diagnostics test on vehicles that meet specified criteria; establishing that a dealer may conduct an exhaust emissions test only on equipment that meets requirements established by the Motor Vehicle Administration; requiring the collection of a specified fee; prohibiting a dealer who conducts an exhaust emissions test from imposing an additional fee; etc

HB 18

Environment - Lead Wheel Weights - Prohibited

Bill Withdrawn - Environmental Matters

Prohibiting specified persons from using, allowing to be used, or selling specified lead wheel weights after specified dates; requiring the Department of the Environment to adopt regulations that at a minimum list environmentally safe lead-free wheel weights; requiring the Department to inform specified persons regarding the requirements under the regulations; providing for the enforcement of the Act, including the required issuance of a warning for an initial violation; etc.

HB 35

Environment - Brominated Flame Retardants - Decabrominated Diphenyl Ether - Prohibitions

Bill is in the House - Recommit to Committee Environmental Matters

Prohibiting, on or after January 1, 2011, the manufacturing, processing, selling, or distributing of a new product or a flame-retardant part of a new product that contains a specified amount of decabrominated diphenyl ether; and providing that the prohibition does not apply to specified processing of specified recyclables, specified manufacturer replacement service parts or other products, specified vehicles, or specified products or parts for use in vehicles.

HB 38

Motor Vehicles - Disposal Under Indemnity Agreement - Repeal

Bill is in the Senate - First Reading Senate Rules

Repealing a provision of law that authorizes specified persons to transfer inoperable motor vehicles more than 8 years old to an automotive dismantler and recycler or scrap processor without providing a certificate of title or fulfilling specified notice requirements; repealing a provision of law that authorizes an automotive dismantler and recycler or scrap processor to require specified motor vehicle transferors to execute an indemnity agreement; etc.

HB 91

Labor and Employment - Unemployment Insurance - Modernization and Tax Relief Act

Bill is in the House - First Reading Economic Matters

Providing for an alternative method to determine the base period for unemployment insurance purposes under specified circumstances; altering provisions relating to benefit eligibility of specified part-time workers; creating an additional training benefit for specified individuals; providing that specified training benefits may not be charged to employers; providing for the calculation and limit for the additional training benefits; etc.

HB 92

Labor and Employment - Job Creation and Recovery Tax Credit

Bill is in the Senate - First Reading Budget and Taxation

Providing a credit against the State income tax for qualified employers employing specified individuals in qualified positions; providing for certification by the Secretary of Labor, Licensing, and Regulation of qualified employers eligible for the credit and the maximum credit for which a qualified employer is eligible; limiting the credit to \$250,000 for each qualified employer; limiting the aggregate credit that may be approved by the Secretary to \$20,000,000, to be allocated on a first-come, first-served basis; etc.

HB 175

Labor and Employment - Credit Reports and Credit Histories of Applicants and Employees - Limitations on Use by Employers

Unfavorable Report by Economic Matters

Prohibiting an employer from using an applicant's or employee's credit report or credit history in determining whether to deny employment to the applicant, discharge the employee, or determine compensation or the terms, conditions, or privileges of employment; authorizing an employer to request or consider an applicant's credit report or credit history under specified circumstances; authorizing an applicant or employee to bring an action for injunctive relief, damages, or other relief for a violation of a specified provision of law; etc.

HB 190

Motor Vehicles - Use of Video and Electronic Display Equipment

Bill is in the Senate - Special Order

Prohibiting a person from driving a motor vehicle on a highway if the motor vehicle is equipped with television-type receiving equipment or video display equipment that is turned on and displaying an image visible to the driver; altering the exceptions to the prohibition against locating specified electronic display equipment in specified areas of a motor vehicle; providing that a motor vehicle may be equipped with specified video equipment only if the equipment is turned off under specified circumstances; providing an exception; etc.

HB 252

Vehicle Laws - Exemption from Motor Vehicle Emissions Test and Inspection Requirements - Newer Vehicles

Unfavorable Report by Environmental Matters

Exempting a vehicle from specified motor vehicle emissions test and inspection requirements for 4 years after the vehicle's model year or first registration date, whichever is earlier.

HB 286

Creation of a State Debt - Baltimore County - Automotive Vocational Training Center

Unfavorable Report by Appropriations

Authorizing the creation of a State Debt not to exceed \$145,000, the proceeds to be used as a grant to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for the planning, design, construction, and capital equipping of the Automotive Vocational Training Center, located in Baltimore; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

HB 370

Labor and Employment - Payment of Wages

Bill Withdrawn - Economic Matters

Requiring employers that pay employees at least once in every 2 weeks or twice in each month to pay the regular full wages to the employees on all paydays that fall within any given year.

HB 373

Campaign Finance - Affiliated Business Entities - Attributions of Contributions

Bill is in the House - First Reading Ways and Means

Requiring that campaign finance contributions by two or more business entities be attributed to one business entity if one is a wholly owned subsidiary of another or if the business entities are owned or controlled by at least 80% of the same individuals; and defining the term "business entity" to include a corporation, a general partnership or limited partnership, a limited liability company, or a real estate investment trust.

HB 381

Workplace Religious Freedom Act

Unfavorable Report by Economic Matters

Authorizing employees of specified employers to use specified leave for observance of religious beliefs under specified circumstances; establishing that an employer is not required to pay specified premium wages or benefits under specified circumstances; providing that an employee who uses leave under the Act must comply with the terms of a collective bargaining agreement or employment policy; providing a specified exemption for an undue hardship; etc.

HB 393

Anne Arundel County - Motorcycle Dealers - Sunday Operations

Returned Passed

Authorizing in Anne Arundel County a motorcycle dealer to sell, barter, deliver, give away, show, or offer for sale a motorcycle or a certificate of title for a motorcycle on Sunday.

HB 445

Vehicle Laws - Off-Highway Recreational Vehicles - Titling

Bill is in the Senate - Re-referred Judicial Proceedings

Defining "off-highway recreational vehicle"; requiring the owner of an off-highway recreational vehicle purchased on or after October 1, 2010, to apply for a certificate of title by electronic transmission; imposing an excise tax for a certificate of title issued for an off-highway recreational vehicle for which sales and use tax is not collected; providing that an off-highway recreational vehicle is not required to be inspected when ownership is transferred; etc.

HB 463

Human Relations - Employment Discrimination Based on Family Responsibilities - Prohibitions

Unfavorable Report by Health and Government Operations

Altering the equal employment opportunity policy of the State to assure equal opportunity regardless of family responsibilities; prohibiting employers, employment agencies, and labor organizations from discriminating against an individual based on family responsibilities; etc.

HB 469

Motor Vehicle Excise Tax - Tax Credit For Electric Vehicles

Passed Enrolled

Allowing a tax credit against the motor vehicle excise tax for qualified plug-in electric drive vehicles; repealing an obsolete tax credit against the motor vehicle excise tax for qualified hybrid vehicles and electric vehicles; providing for the transfer of specified

money from the Strategic Energy Investment Fund to the Transportation Trust Fund in specified fiscal years to offset a reduction in revenues from the vehicle excise tax credit for qualified plug-in electric drive vehicles; etc.

HB 479

Motor Fuel Tax – Increase

Bill is in the House - First Reading Ways and Means

Increasing the motor fuel tax rates for motor fuels other than aviation gasoline or turbine fuel by 2 cents per gallon on July 1, 2010, and by 2 cents per gallon on July 1 of each year in 2011 through 2014; and providing for the payment of specified motor fuel taxes on tax-paid motor fuel by specified dates.

HB 480

Motor Vehicles - Medium Speed Vehicles - Requirements and Prohibitions

Bill is in the House - First Reading Environmental Matters

Prohibiting a person from driving a medium speed vehicle on specified highways; prohibiting a person from driving a medium speed vehicle on a highway unless the vehicle displays a specified emblem; establishing specified standards for a specified emblem; prohibiting a motor vehicle dealer from selling a medium speed vehicle unless the dealer permanently affixes a specified emblem to the vehicle and informs the buyer that specified driving restrictions apply; defining "medium speed vehicle"; etc.

HB 485

Motor Vehicle Equipment - Spare Tire Requirement – Application

Returned Passed

Expanding the requirement that a motor vehicle manufacturer equip specified motor vehicles with a spare tire that conforms with State law to apply to specified additional new motor vehicles sold in the State; creating an exception to the spare tire equipment standard for a motor vehicle equipped with a factory installed temporary tire repair and inflation system; etc.

HB 504

Employment Discrimination - Unlawful Employment Practices - Motivating Factor

Unfavorable Report by Health and Government Operations

Clarifying that an unlawful employment practice is established when a specified classification is a motivating factor for any employment practice, even though other factors also motivated the practice; and providing that a specified Supreme Court ruling is not to be applied in any cases brought under provisions of law prohibiting discrimination in employment.

HB 654

Harford County - Towing and Removing Vehicles

Bill is in the Senate - Re-referred Judicial Proceedings

Establishing that a vehicle may not be towed or removed from private property in Harford County unless the owner of the property has posted specified signs and makes a request for the towing or removal of the specific vehicle; providing that a property owner may not contract with a person for the towing or removal of a vehicle under specified circumstances; requiring the owner of property in Harford County to maintain records and keep specified documentation relating to towed vehicles; limiting specified fees and charges; etc.

HB 755

Earned Income Credit Information Act

Unfavorable Report by Budget and Taxation

Requiring the Comptroller to publish the maximum income eligibility for the State earned income tax credit on or before January 1 of each taxable year; requiring the Comptroller to prepare a specified notice; requiring an employer to provide specified

notification to an employee who may be eligible for the State earned income tax credit; providing that an employee may not pursue a private cause of action against an employer for the employer's failure to provide a specified notice; etc.

HB 871

Vehicle Laws - Registration of Vehicles - New Residents

Bill Withdrawn - Environmental Matters

Reducing from 60 days to 45 days the period of time during which a vehicle owned by a new resident of the State and displaying valid registration issued by the jurisdiction of the resident's former domicile is not subject to the requirement that specified vehicles driven on a highway be registered in accordance with specified provisions of law.

HB 913

Consumer Protection - Prohibition on Placement of Unsolicited Commercial Advertisements on Motor Vehicles

Unfavorable Report by Economic Matters

Prohibiting specified publishers from placing or causing to be placed specified unsolicited commercial advertisements on a motor vehicle.

HB 984

Employment - Applications for Employment - Prohibitions

Bill Withdrawn - Health and Government Operations

Altering the employment policy of the State to provide fair employment practices to all citizens; prohibiting a person from failing or refusing to hire, or discharging a person because of the person's refusal to answer specified questions; prohibiting a person from requesting or requiring specified information from an applicant for employment on an employment application; etc.

HB 1004

Credit Regulation - Application Fees for Credit Cards and Loans – Prohibited

Unfavorable Report by Economic Matters

Prohibiting a person who offers a credit card or a consumer, business, or mortgage loan from charging an application, administrative, or processing fee to a person applying for the credit card or loan.

HB 1030

Vehicle Laws - Motor Scooters - Protective Headgear

Unfavorable Report by Environmental Matters

Prohibiting an individual from operating or riding on a motor scooter unless the individual is wearing protective headgear that meets specified standards.

HB 1076

Credit Regulation - Installment Loans Secured by Motor Vehicle Lien - Balloon Payments

Returned Passed

Authorizing a credit grantor that makes a specified installment loan to a consumer borrower to require the consumer borrower to pay a balloon payment at maturity of the installment loan if the amount of the installment loan exceeds \$30,000 and the installment loan is secured by a lien on a motor vehicle.

HB 1120

Motor Vehicles - Towing Practices and Procedures

Bill is in the Senate - Third Reading Passed with Amendments

Providing for the statewide application for provisions of law governing the towing or removal of vehicles from parking lots; establishing a motor vehicle towing and storage lien on a towed motor vehicle on behalf of the tower for specified towing and storage charges; prohibiting a motor vehicle towing and storage lienor from selling the motor

vehicle to which the lien is attached under specified circumstances; specifying the manner in which a motor vehicle towing and storage lienor may sell a vehicle; etc.

HB 1151 **Vehicle Laws - Commercial Motor Vehicles - Minimum Security Requirements**

Passed Enrolled

Establishing specified minimum levels of required security for commercial motor vehicles in conformance with federal regulations; authorizing the Motor Vehicle Administration to adopt specified regulations consistent with specified federal regulations; etc.

HB 1174 **Junk Dealers and Scrap Metal Processors - Required Records**

Passed Enrolled

Altering requirements for records that junk dealers and scrap metal processors must keep for each purchase of specified junk or scrap metal in the State; providing for the designation of primary law enforcement units; preempting specified rights and superseding specified laws of counties and municipalities; providing that provisions of law do not apply to specified transactions; providing that the Act applies to specified automotive dismantlers and scrap metal processors; making the Act an emergency measure; etc.

HB 1183 **Motor Vehicles - Access to Towed Vehicles**

Bill is in the Senate - Re-referred Judicial Proceedings

Requiring specified persons who take an abandoned motor vehicle into custody to make the motor vehicle available to specified persons for specified purposes; authorizing specified persons to refuse to allow removal of a towed vehicle until full payment has been made for towing or storage charges; and requiring specified persons to accept specified forms of payment for outstanding towing or storage charges.

HB 1199 **Motor Vehicles - Salvage - Standards and Requirements**

Passed Enrolled

Creating an additional salvage application statement that an insurance company is required to provide under specified circumstances; prohibiting a person from using specified costs to determine the cost to repair a motor vehicle for highway operation under the motor vehicle salvage program; providing that a specified cost of repair calculation may not affect specified rights of specified persons; etc.

HB 1204 **Vehicle Laws - Driving While License Refused, Suspended, Canceled, or Revoked – Penalty**

Unfavorable Report by Judiciary

Altering provisions relating to driving a motor vehicle while a license or privilege to drive issued by the State or any other state is refused, suspended, canceled, or revoked; providing that in a prosecution specified records are prima facie evidence of specified facts; altering penalties and a specified assessment of points for offenses relating to driving a motor vehicle while a license or privilege to drive issued by the State or any other state is refused, suspended, canceled, or revoked; etc.

HB 1206 **Commercial Law - Consumer Protection - Refund Anticipation Loans and Checks**

Returned Passed

Prohibiting specified persons from soliciting the execution of, processing, receiving, or accepting an application or agreement for a refund anticipation loan or refund anticipation check or facilitating the making of a refund anticipation loan or refund

anticipation check under specified circumstances; requiring a facilitator of a refund anticipation loan or refund anticipation check to display a specified schedule of fees in a specified manner; etc.

HB 1246

Labor and Employment - Maryland Wage and Hour Law – Damages

Unfavorable Report by Economic Matters

Allowing an employee to recover liquidated damages under specified circumstances; and requiring, instead of authorizing, a court to allow specified costs against an employer for a specified recovery in a specified action.

HB 1261

Junk Dealers and Scrap Metal Processors - Required Records

Bill Withdrawn - Economic Matters

Altering the requirements for records that specified junk dealers and scrap metal processors must keep for each purchase of specified junk or scrap metal in the State; providing that specified provisions of law do not apply to specified transactions; preempting specified rights of specified counties and municipalities; superseding specified laws of specified counties and municipalities; providing for the applicability of the record keeping requirements; providing for the form and contents of the records; etc.

HB 1272

Maryland Family and Medical Leave Act

Unfavorable Report by Economic Matters

Requiring employers in the State that are subject to the federal Family and Medical Leave Act of 1993 to provide specified leave to a specified eligible employee with respect to the eligible employee's brother, sister, grandparent, grandchild, or domestic partner and the son or daughter of the eligible employee's domestic partner; providing that an eligible employee who takes leave provided under the Act is entitled to specified protections and rights; etc.

HB 1299

Labor and Employment - The Healthy Retail Employee Act

Passed Enrolled

Requiring specified retail employers to provide a specified nonworking or working shift break to specified employees under specified circumstances; authorizing specified employees to file a complaint with the Commissioner of Labor and Industry under specified circumstances; requiring the Commissioner to assess a specified civil penalty under specified circumstances; subjecting provisions of the Act to notice and hearing requirements; etc.

HB 1331

Civil Litigation Funding

Bill Withdrawn – Judiciary

Establishing requirements for a contract for nonrecourse civil litigation funding; regulating fees assessed by a civil litigation funding company; establishing specified prohibitions; requiring each civil litigation funding company to be licensed by the Commissioner of Financial Regulation; providing that a nonrecourse civil litigation funding transaction under the Act may not be deemed to be a loan; etc.

HB 1348

Vehicle Laws - Carrying and Displaying Proof of Required Security - Requirements

Bill Withdrawn - Environmental Matters

Requiring an individual who is operating a vehicle to carry in the vehicle proof of required security for the vehicle and to display the proof of required security on demand of a police officer; providing that specified requirements regarding proof of required

security may be satisfied by carrying and making available a valid rental agreement in specified circumstances; etc.

HB 1536 **Junk Dealers and Scrap Metal Processors - Required Records and Reporting**

Bill Withdrawn - Economic Matters

Altering the requirements for records that specified junk dealers and scrap metal processors must keep for each acquisition of specified junk or scrap metal in the State; providing that specified provisions of law do not apply to specified transactions; providing that specified provisions of law do not preempt or supersede a county or municipal government from enacting and enforcing specified measures; providing for the applicability of the record keeping requirements; providing for the form and contents of the records; etc.

SB 18 **Vehicle Laws - Manufacturers, Distributors, and Factory Branches - Benefits to Employees of Dealers**

Became Law - Chapter 3

Repealing provisions relating to a manufacturer, distributor, or factory branch providing specified benefits, payments, or gifts to an employee of a vehicle dealer; providing that an incentive payment, a reimbursement payment, cash, a gift, or a thing of value to be given by a manufacturer, distributor, or factory branch to an employee of a dealer may be given directly to the employee or to the dealer to be distributed to the employee in a specified manner; making the Act an emergency measure; etc.

SB 67 **Vehicle Laws - Issuance of Temporary Registration Plates by Dealers - Transmission of Information and Record Keeping**

Became Law - Chapter 21

Requiring a vehicle dealer to electronically transmit to the Motor Vehicle Administration the vehicle, owner, insurance, and temporary registration information contained on the temporary registration plate application on the same day that the dealer issues a temporary registration plate for a vehicle; and requiring a dealer who has applied for temporary registration plates to keep specified temporary registration plate records for 3 years.

SB 85 **Vehicle Laws - Electronic Transmission of Title Information by Dealers**

Became Law - Chapter 32

Providing that a licensed vehicle dealer transferring a vehicle may electronically transmit specified taxes, fees, and other required titling documents or data to the Motor Vehicle Administration within 30 days of the date of delivery of the vehicle; etc.

SB 106 **Labor and Employment - Job Creation and Recovery Tax Credit**

Became Law - Chapter 1

Providing a credit against the State income tax for qualified employers employing specified individuals in qualified positions; providing for certification by the Secretary of Labor, Licensing, and Regulation of qualified employers eligible for the credit and the maximum credit for which a qualified employer is eligible; limiting the credit to \$250,000 for each qualified employer; limiting the aggregate credit that may be approved by the Secretary to \$20,000,000, to be allocated on a first-come, first-served basis; etc.

SB 107 **Unemployment Insurance - Tax Deferment, Trust Fund Solvency, and Cost-Neutral Modernization Act**

Became Law - Chapter 2

Providing for an alternative method to determine the base period for unemployment insurance purposes under specified circumstances; altering provisions relating to benefit eligibility of specified part-time workers; creating an additional training benefit for specified individuals; providing that specified training benefits may not be charged to employers; providing for the calculation and limit for the additional training benefits; altering the wage requirements for a specified claimant to be eligible for unemployment benefits; etc.

SB 110 **Labor and Employment - Job and Financial Privacy Protection Act**

Bill is in the Senate - First Reading Finance

Prohibiting an employer from requesting a credit report from an applicant for employment or an employee unless the request has a bona fide work-related purpose or the employer is required to request the credit report under federal or State law; requiring the Commissioner of Labor and Industry to adopt regulations specifying what is a bona fide work-related purpose; and authorizing specified civil actions under specified circumstances.

SB 209 **Motor Vehicle Air Bags - Consumer Protection and Reporting Requirements**

Bill Withdrawn - Finance

Prohibiting specified acts related to the fraudulent sale or installation of motor vehicle air bags; requiring specified records to be maintained in connection with the sale or installation of motor vehicle air bags; requiring specified information to be provided or made available for inspection under specified circumstances; requiring a person who sells or installs salvaged air bags to disclose specified information to specified persons; requiring specified accident reports and forms to contain specified information; etc.

SB 251 **Anne Arundel County - Motorcycle Dealers - Sunday Operations**

Bill is in the House - First Reading Economic Matters

Authorizing in Anne Arundel County a motorcycle dealer to sell, barter, deliver, give away, show, or offer for sale a motorcycle or a certificate of title for a motorcycle on Sunday.

SB 281 **Motor Vehicle Excise Tax - Tax Credit for Electric Vehicles**

Bill is in the Senate - Senate Conference Committee Appointed

Allowing a tax credit against the motor vehicle excise tax for qualified plug-in electric drive vehicles; repealing an obsolete tax credit against the motor vehicle excise tax for qualified hybrid vehicles and electric vehicles; providing for the transfer of specified amounts from the Strategic Energy Investment Fund to the Transportation Trust Fund for specified fiscal years to offset a reduction in revenues from the vehicle excise tax credit for qualified plug-in electric drive vehicles; etc.

SB 322 **Motor Vehicles - Use of Video and Electronic Display Equipment**

Passed Enrolled

Providing that, with specified exceptions, a person may not drive a motor vehicle on a State highway if it is equipped with television-type receiving equipment or video display equipment that is turned on and displaying an image visible to a driver while driving; permitting video display equipment in a public service company vehicle or safety or law

enforcement vehicle; and permitting specified video display equipment used as a vehicle navigation system or related to operation or safety of a motor vehicle.

SB 344

Motor Vehicles - Limited Speed Vehicles - Requirements and Prohibitions

Passed Enrolled

Prohibiting a person from driving a specified vehicle with a limited speed capability on specified highways; prohibiting a person from driving a specified vehicle with a limited speed capability on a highway unless the vehicle displays a specified emblem; establishing standards for a specified emblem; prohibiting a motor vehicle dealer from selling a specified vehicle with a limited speed capability unless the dealer permanently affixes a specified emblem to the vehicle and informs the buyer that driving restrictions apply; etc.

SB 354

Corporate Income - Combined Reporting - Pension Sustainability Trust Fund

Bill is in the Senate - First Reading Budget and Taxation

Requiring specified corporations to compute Maryland taxable income using a specified method; requiring that, subject to specified regulation, specified groups of corporations file a combined income tax return; establishing the Pension Sustainability Trust Fund; specifying that the Trust Fund may be used only to transfer specified amounts to the General Fund for a specified purpose; applying the Act to tax years beginning after 2010; etc.

SB 401

Maryland Automobile Insurance Fund - Acceptance of Premiums on Installment Basis

Bill is in the Senate - First Reading Finance

Authorizing the Maryland Automobile Insurance Fund to accept premiums on an installment basis under specified circumstances; requiring the Maryland Insurance Commissioner to ensure specified provisions of the Fund's installment payment plan; prohibiting the Fund from discriminating among insureds in a specified manner; prohibiting the Fund from paying a higher commission to specified producers; requiring the Maryland Insurance Commissioner to study the enforcement of eligibility criteria for coverage in the Fund; etc.

SB 418

Labor and Employment - Maryland Wage and Hour Law - Damages

Unfavorable Report by Finance

Allowing an employee to recover liquidated damages under specified circumstances; and requiring, instead of authorizing, a court to allow specified costs against an employer for a specified recovery in a specified action.

SB 419

Labor and Employment - Maryland Wage and Hour Law - Criminal Penalties

Bill is in the Senate - First Reading Finance

Increasing specified criminal penalties for violations of specified wage and hour laws; and establishing that every workweek for which an employer does not pay the wage required under specified law shall be considered a separate offense.

SB 468

Maryland Employment Opportunity Tax Credit

Bill is in the Senate - First Reading Budget and Taxation

Allowing a credit against the State income tax and insurance premium tax for specified wages paid and qualified child care or transportation expenses incurred by specified business entities with respect to qualified employment opportunity employees;

providing for the calculation and use of the credit; providing for the administration of the tax credits; applying the Act to tax years after 2009; etc.

SB 500

Unemployment Insurance - Compensation for Lawyer or Agent Representation in Claim Proceedings

Unfavorable Report by Finance

Repealing certain provisions of law that specify the amount of compensation that a lawyer may charge a claimant for representation in a proceeding relating to the determination of an unemployment insurance claim before a hearing examiner, special examiner, or the Board of Appeals in the Department of Labor, Licensing, and Regulation; repealing a certain provision that prohibits an agent from charging a claimant for representation in a proceeding relating to the determination of an unemployment insurance claim; etc.

SB 509

Vehicle Laws - Exceptional Hauling Permits - Validity in Select Eastern Shore Counties

Returned Passed

Including Dorchester, Somerset, Talbot, Wicomico, and Worcester Counties as counties in which an exceptional hauling permit issued by the State Highway Administration is valid for a combination of vehicles that transports specified forestry products, subject to specified axle configuration requirements, increased maximum load limits, weight tolerances, inspection requirements, operation restrictions and requirements, penalties, record keeping and reporting requirements, and fees; codifying specified provisions of law; etc.

SB 511

Vehicle Manufacturers - Advertising - Prohibiting Threats to Dealers

Bill is in the House - First Reading House Rules and Executive Nominations

Prohibiting a vehicle manufacturer, either directly or through an agent, employee, affiliate, or representative, from threatening a dealer with the loss of specified benefits for listing the manufacturer's invoice price for a vehicle in specified advertising if the advertisement contains a specified notice and is not in violation of the Maryland Consumer Protection Act; etc.

SB 518

Vehicle Laws - Special Registration Plates and Parking Placards for Dependents with Disabilities – Authorized

Bill is in the Senate - First Reading Judicial Proceedings

Authorizing the owner of a motor vehicle to apply to the Motor Vehicle Administration for a special disability registration number and special disability registration plates or a parking placard if a medical professional certifies that a dependent of the applicant has a disability that meets specified requirements; requiring an applicant to submit specified proof; authorizing the Administration to review the severity and permanency of the disability of a dependent of a motor vehicle owner; etc.

SB 523

Credit Card Blacklisting Prevention Act

Returned Passed

Prohibiting a person from including or enforcing specified provisions in specified consumer credit contracts; permitting specified information to be used to prevent or detect fraudulent activity; providing that a violation of the Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to specified enforcement and penalty provisions; etc.

SB 570

Corporations - Campaign Material - Stockholder Approval

Bill is in the Senate - First Reading Judicial Proceedings

Prohibiting a corporation from publishing or distributing campaign material in the State unless the campaign material is true, the board of directors has determined that the expenditure of funds is in the best interests of the corporation, and the content of the campaign material and the expenditure of funds has been approved by the stockholders by a specified vote; authorizing a direct stockholder action for an alleged violation of the Act; etc.

SB 583

Human Relations - Sexual Orientation and Gender Identity - Antidiscrimination

Bill is in the Senate - First Reading Judicial Proceedings

Prohibiting discrimination based on gender identity with regard to public accommodations, housing, and employment and by specified licensed or regulated persons; prohibiting discrimination based on sexual orientation or gender identity with regard to commercial leasing; altering an exception for employers relating to standards concerning dress and grooming; providing specified immunity; requiring State personnel actions to be made without regard to gender identity or sexual orientation; defining the term "gender identity"; etc.

SB 601

Elections - Campaign Finance - Prohibition of Contributions and Expenditures by Business Entities

Bill is in the Senate - First Reading Education Health and Environmental Affairs

Prohibiting a business entity from making a contribution to a campaign finance entity; prohibiting a business entity from making an expenditure to support or oppose a candidate; clarifying that a business entity is not prohibited from making an expenditure to support or oppose a ballot question; and defining the term "business entity" to mean a corporation, a general or limited partnership, a limited liability corporation, or a real estate investment trust.

SB 612

Unemployment Insurance - Filing for Benefits – Notification

Unfavorable Report by Finance

Requiring the Secretary of Labor, Licensing, and Regulation to adopt regulations regarding filing notices; providing for the content of the notices; establishing a minimum time requirement for an eligible individual to contact the Unemployment Insurance Division in specified circumstances; etc.

SB 675

Unemployment Insurance - Exemption from Covered Employment - Small Business Directors, Officers, and Members

Bill is in the Senate - First Reading Finance

Providing that work performed by an officer or director of a specified corporation or a member of a specified limited liability company under specified circumstances is not covered employment for purposes of unemployment insurance; etc.

SB 694

Labor and Employment - Wage Payment and Collection Law - Definition of Wage

Became Law - Chapter 99

Clarifying that the definition of "wage" as used in the Wage Payment and Collection Law includes overtime wages.

SB 735

Consumer Protection - Lifetime Warranties on Consumer Goods

Unfavorable Report by Finance

Providing that a manufacturer of a consumer good is liable to a consumer for the fulfillment of a lifetime warranty by the manufacturer on the consumer good under specified circumstances; and providing that a violation of the Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to specified enforcement and penalty provisions.

SB 739

Sales and Use Tax - Rate

Bill is in the Senate - First Reading Budget and Taxation

Altering the maximum rate of the admissions and amusement tax that a county or municipal corporation may set for gross receipts that are also subject to the State sales tax from 11% to 10%; altering the rate of the sales and use tax from 6% to 5%; and altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies from 94.5% to 95.25%.

SB 744

Commercial Law - Unfair or Deceptive Trade Practices - Disclosure of Prior Vehicle Use

Bill is in the Senate - First Reading Finance

Requiring a vehicle dealer who is required by law to make a specified disclosure to consumers regarding the prior use of a vehicle to make a reasonable inquiry about whether the vehicle formerly was used other than for specified purposes; requiring a dealer to disclose that the prior use of a vehicle is unknown under specified circumstances; establishing that a dealer may comply with the requirements of the Act by providing the consumer with a specified vehicle history report; etc.

SB 762

Commercial Law - Consumer Protection - Refund Anticipation Loans and Checks

Bill is in the House - First Reading Economic Matters

Prohibiting specified persons from soliciting the execution of, processing, receiving, or accepting an application or agreement for a refund anticipation loan or refund anticipation check or facilitating the making of a refund anticipation loan or refund anticipation check under specified circumstances; requiring a facilitator of a refund anticipation loan or refund anticipation check to display a specified schedule of fees in a specified manner; etc.

SB 773

Corporate Income Tax - Repeal

Unfavorable Report by Budget and Taxation

Repealing the State income tax on corporations; and terminating the Act at the end of December 31, 2013.

SB 789

Labor and Employment - The Healthy Retail Employee Act

Returned Passed

Requiring specified employers to provide a nonworking or working shift break to specified employees under specified circumstances; authorizing employees to file a complaint with the Commissioner of Labor and Industry if the nonworking or working shift break is not provided as required; requiring the Commissioner to attempt to resolve a specified issue informally or issue a specified order under specified circumstances; requiring the Commissioner to assess a civil penalty under specified circumstances; etc.

SB 824

Sales and Use Tax - Online Sales Presumption

Bill is in the Senate - First Reading Budget and Taxation

Providing that for purposes of the definition of "engage in the business of an out-of-state vendor" under the sales and use tax law a seller shall be presumed under specified circumstances to have an agent, canvasser, representative, salesman, or solicitor operating in the State for the purpose of selling or taking orders; providing that the presumption may be rebutted by specified proof; etc.

SB 898

Credit Regulation - Installment Loans Secured by Motor Vehicle Lien - Balloon Payments

Passed Enrolled

Authorizing a credit grantor that makes a specified installment loan secured by a lien on a motor vehicle to a consumer borrower to require the consumer borrower to pay a balloon payment at maturity of the installment loan if the loan exceeds \$30,000.

SB 907

Motor Vehicles - Salvage - Standards and Requirements

Bill is in the Senate - Re-referred Judicial Proceedings

Prohibiting a person from using specified costs to determine the cost to repair a motor vehicle for highway operation under the motor vehicle salvage program; providing that specified persons that acquire specified non-repairable motor vehicles may only sell the motor vehicles to specified other persons; and limiting the pool of motor vehicles in need of repair for which an insurance company is required to provide specified notice to the Motor Vehicle Administration under specified circumstances.

SB 1006

Baltimore City - Sale of Motor Fuel for Dirt Bikes - Prohibition

Became Law - Chapter 114

Requiring a retail service station dealer in Baltimore City to post a specified sign in a conspicuous location at the retail service station that states specified prohibitions relating to dispensing motor fuel into a dirt bike; prohibiting a specified person, in Baltimore City, from dispensing motor fuel into a dirt bike from a retail pump at a service station; establishing penalties; etc.

SB 1025

Vehicle Laws - Required Security - Increase in Minimum Amounts

Bill is in the Senate - Re-referred Finance

Increasing the minimum amounts of required security for the payment of claims for bodily injury or death arising from a motor vehicle accident.

SB 1054

Raymond Scott Brown II Vehicle Towing Notification Act

Bill is in the Senate - Re-referred Judicial Proceedings

Requiring a person who undertakes the towing or removal of vehicles from parking lots to provide specified notice to specified police departments; altering the time frame within which a tower is required to provide notice to specified police departments after towing a vehicle from a parking lot; altering the information that a tower is required to provide to specified police departments after towing a vehicle from a parking lot; and establishing specified methods of providing the notice.