

of title or a transfer or assignment of such certificate of title to himself or to some other person, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than five hundred dollars (\$500.00) nor more than five thousand dollars (\$5,000.00) or by imprisonment for not more than five (5) years, or by both fine and imprisonment, in the discretion of the Court. This provision shall not be regarded as exclusive of other penalties prescribed by existing or any future law for the larceny or unauthorized use of a motor vehicle. In the case of manufacturers and dealers in motor vehicles, motorcycles, side-cars or trailers, all of which are intended to be covered by this and all other provisions of this section, a separate certificate of title, either of such dealer's immediate vendor, or of the dealer himself, shall be required in the case of each used or second-hand motor vehicle in his possession, and the Commissioner of Motor Vehicles shall determine the form in which applications for such certificate of title and assignments thereof shall be made, in case forms differing from those used in the case of individuals are in his judgment reasonably required; provided, however, that no such certificate shall be required in the case of new motor vehicles owned by and in the hands, possession, or custody of dealers as the term "dealers" is defined in Sections 173 and 180 of this Article.

In the case of a lost certificate, the loss of which is accounted for to the satisfaction of the Commissioner, a duplicate may be issued the charge therefor to be fifty cents (50¢.).

Any person who shall himself alter or forge any certificate of title issued by the Commissioner of Motor Vehicles pursuant to the provisions of this section, or any assignment thereof, or who shall hold or use any such certificate or assignment knowing the same to have been altered or forged, shall be deemed guilty of a felony, and upon conviction in a court of criminal jurisdiction other than the Traffic Court, shall be required to pay a fine of not more than one thousand (\$1,000.00) or be imprisoned in the Maryland Penitentiary for a period of not more than one (1) year, or be both fined and imprisoned, in the discretion of the Court.

Provision conferring upon justice right to try person charged with offense punishable by fine of \$5,000 and imprisonment for five years, with right of appeal, is constitutional. *Dougherty v. Supt.*, etc., 144 Md. 206.

Registration under this section does not take place of recording required by art. 21, sec. 55—see notes thereto. *In re Rosen*, 23 F. (2d), (Dist. Ct. Md.), 687. See notes to sec. 173.

Cited but not construed in *Baltimore v. Fine*, 148 Md. 325. (See notes to sec. 183.)

This section referred to in construing art. 21, sec. 55. *Meyer Herson Auto Sales Co. v. Faunkhauser*, 65 Fed. (2nd), 656. See sec. 72CC.

1927, ch. 372.

202A. Where a change of title, ownership or right of possession of any motor vehicle is effected by the exercise of the right of repossession contained in a lien instrument or is the result of a judicial decree, order or proceeding, or any other proceeding provided by law, no written assignment, as prescribed by Section 202 of this Article, shall be required, but