

the Commissioner of Motor Vehicles shall issue a new certificate of title for said motor vehicle upon satisfactory proof of said change of title, ownership or right of possession as aforesaid.

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

1927, ch. 520, sec. 203A. 1929, ch. 334.

203A.¹ It shall be unlawful and a misdemeanor, punishable by a fine of not less than five dollars (\$5.00) nor more than one thousand dollars (\$1,000.00), or by imprisonment for not more than ten (10) years, or both, for any one, other than a registered dealer to purchase or for anyone to sell within the limits of the State of Maryland any used or second-hand motor vehicle for which no certificate of title has been issued by the Commissioner of Motor Vehicles unless the following provisions of this section shall be first complied with.

Any one desiring to sell such motor vehicle shall first make application to the said Commissioner for a permit so to do, appropriately describing therein the vehicle so to be sold, giving the State, district, county, or City in which the same is registered and the number of the current registration marker or tag; the name and address of the registered owner; and the name and address of the applicant for said permit. Such application must be subscribed and sworn to and when filed with the said Commissioner must be accompanied by the payment of two dollars (\$2.00) to cover the estimated average costs incident to the inquiry hereinafter provided for, such sum to be accounted for by the said Commissioner as are other moneys received by him under this Article.

Upon receipt of an application in proper form accompanied by such payment it shall be the duty of the said Commissioner to immediately communicate with the Commissioner of Motor Vehicles or other proper officer of the State, district, county, or city named in such application inquiring as to the facts in said application set forth, which inquiry, when practical, may be made by telephone or telegraph. Where the request for such permit is made through a bona fide registered dealer of this State, as that term is defined in this Article, the applicant may anticipate the result of such inquiry by furnishing to the said Commissioner a satisfactory indemnity bond running to the State of Maryland in the penalty of a sum equal to the fair value of the said motor vehicle as estimated by the said Commissioner and guaranteeing to the purchaser of said motor vehicle the right of the applicant to sell the said motor vehicle and to pass a good and marketable title thereto. Upon receipt of satisfactory information or upon the filing of a satisfactory bond as aforesaid, the said Commissioner shall issue the said permit over his signature and the seal of his office, appropriately describing therein the vehicle so to be sold, which said permit must be delivered by the vendor to the vendee at the time such sale is made; and such permit shall be surrendered by the vendee to the

¹ The title of ch. 334 of acts of 1929 refers to sec. "302A" instead of "203A", but enacting clause shows that 203A was intended.