

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 147 and 155 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. 71—see notes thereto. *In re Rosen*, 23 F. (2d), (Dist. Ct. Md.), 687.

See notes to sec. 147.

Cited but not construed in *Baltimore v. Fine*, 148 Md. 325. (See notes to sec. 159.)

This section referred to in construing art. 21, sec. 71. *Meyer Herson Auto Sales Co. v. Faunkhauser*, 65 Fed. (2nd), 656.

1927, ch. 372.

**205.** 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 204 of this Article, shall be required, but 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. 71. *Meyer Herson Auto Sales Co. v. Faunkhauser*, 65 Fed. (2nd), 656.

### Defaced Identification Marks.

An. Code, 1924, sec. 203. 1920, ch. 407, sec. 157A.

**206.** (a) Any person who removes, defaces, alters, changes, destroys, or obliterates, in any manner or way, or who causes to be removed, defaced, altered, changed, destroyed, or obliterated, in any manner or way, any trade mark, distinguishing or identification number, serial number, or mark on or from any motor vehicle as defined in Section 147 of this Article, or who shall sell any such motor vehicle, knowing the same to be in such condition, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not exceeding one thousand dollars