

interest and work toward a novel solution. However, the difficulties with certain provisions of this bill are of such magnitude that I must register my disapproval.

The Attorney General, whose opinion is attached and is to be considered part of this veto message, has advised me that subsection (K)(5) may well be invalid. This provision, which would make it unlawful for a licensed wrecker to refuse to accept a junked auto, is the heart of the bill according to its proponents. Without it the bill loses much of its force in dealing with this problem.

I am sure also, that the legislature, had it known of the probable unconstitutionality of subsection (K)(5), would not have approved the bill which included it. Now that I have been made aware of the constitutional difficulty, I cannot overlook it and approve the bill on the basis that the other provisions could probably stand without the invalid provision.

I was also impressed by the testimony of the wreckers who appeared before me at a hearing on the bill. It seems clear that the taxing provisions of the measure could and would mean a serious economic hardship on those involved. I urge the legislature to consider this provision carefully and in so doing, examine again the desirability of a "Burial Tax" imposed at the time of sale and held in escrow for the point in time when an auto is ready to be scrapped. Such a fund would provide a means by which the State could furnish an incentive to those in the business to take scrapped vehicles at the end of their useful life. I am aware that this approach runs into some difficulty due to the mobility of our society, especially here in Maryland. It may be that the Federal Government should establish such a procedure thereby insuring the participation of all States.

For the above reasons I am compelled to veto this measure.

Sincerely,

/s/ Spiro T. Agnew,

Governor.

Which was read.

Letter of State Law Department on S. B. 16

April 19, 1968.

Honorable Spiro T. Agnew
Governor of the State of Maryland
State House
Annapolis, Maryland

Dear Governor Agnew :

You have requested us to review Senate Bill 16 and to advise you whether it is constitutional. Senate Bill 16, which repeals various sections of the Motor Vehicle Code and enacts a new Section 71 to that Code, would, among other things, define wreckers and scrap processors, provide for the disposal of abandoned motor vehicles and for the licensing of wreckers, and cover other related matters.

While the matter is not entirely free from doubt, we believe that, with the exception of subsection (k) (5), the Bill is constitutional. It is true that the Bill does make distinctions in the obligations imposed as