

TWO-STAGE VEHICLE TO ANY DEALER IN THIS STATE UNLESS THE MANUFACTURER OR DISTRIBUTOR IS LICENSED BY THE ADMINISTRATION UNDER THIS SUBTITLE.

(B) FACTORY BRANCHES.

A PERSON MAY NOT CONDUCT THE BUSINESS OF A FACTORY BRANCH IN NEW CLASS A VEHICLES, NEW CLASS B VEHICLES, OR NEW TWO-STAGE VEHICLES UNLESS THE PERSON IS LICENSED BY THE ADMINISTRATION UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived from Art. 66 1/2, §5-702.

In this section, the word "new" is added to clarify the present references to "Class A and Class B vehicle[s]"; see §15-101(c) of this title. Also, references are added to "new two-stage vehicles" - defined in §15-101(d) of this title - as implicitly required by Ch. 425, Acts of 1976. See revisor's notes to §15-201(b), (c), and (e) of this subtitle.

In subsection (a) of this section, the words "to any dealer" are added for clarity (cf., e.g., the similar phrase in §11-112 of this article, which defined "distributor"). The word "transfer" is substituted for "sold" to include the variety of other ways that vehicles can be transferred to a dealer. The present implication of present §5-702 that a dealer is prohibited from selling a new vehicle transferred to him by an unlicensed manufacturer or distributor now is provided for in §15-314(5) of this title.

Present §5-702(c), which contains a fictional appointment of the Secretary of State as an agent to receive service of process, is deleted as unnecessary and obsolete. The referenced provisions of "Subtitle 9, Part III of" Article 66 1/2 were repealed in 1973. The jurisdiction of the Maryland Courts in cases brought under this subtitle and the manner for service of process are provided for adequately in the Courts Article and in the Maryland Rules; in this regard, see CJ §6-307 and its revisor's note.

Similarly, present §5-702(d), which provides that "{t}he obtaining of a license ... shall conclusively subject the {licensee} to ... Maryland law", is deleted as obsolete and unnecessary.

The only other changes are in style.