

BY repealing and reenacting, with amendments,

Article - Transportation
Section 13-705.1
Annotated Code of Maryland
(1977 Volume and 1982 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Transportation

13-705.1.

(A) If a person drives a motor vehicle while the driver's license of the person is suspended or revoked [under §§ 16-205 or § 16-205.1 of this article,] FOR A VIOLATION OF SECTION 21-902 OR SECTION 16-205.1 OF THIS ARTICLE OR SECTION 388A OF ARTICLE 27, the Administration may, AFTER A HEARING, suspend, for not more than 120 days, the registration of [any motor vehicle owned by the person] THE MOTOR VEHICLE.

(B) THE ADMINISTRATION MAY NOT SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE IF:

(1) THE MOTOR VEHICLE WAS OPERATED BY ANYONE OTHER THAN THE REGISTERED OWNER WITH HIS IMPLIED OR EXPRESS CONSENT, AND THE REGISTERED OWNER NEITHER KNEW NOR SHOULD HAVE KNOWN THAT THE DRIVER'S LICENSE OF THE OPERATOR WAS SUSPENDED OR REVOKED FOR A VIOLATION OF SECTION 21-902 OR SECTION 16-205.1 OF THIS ARTICLE OR SECTION 388A OF ARTICLE 27; OR

(2) THE MOTOR VEHICLE WAS OPERATED BY ANYONE OTHER THAN THE REGISTERED OWNER WITHOUT HIS IMPLIED OR EXPRESS CONSENT; OR

(3) THE MOTOR VEHICLE IS USED AS A COMMON CARRIER OR VEHICLE FOR HIRE AND THE OWNER OR OTHER PERSON IN CHARGE OF THE VEHICLE WAS NOT A CONSENTING PARTY OR PRIVY TO THE UNLAWFUL ACTION OF THE OPERATOR OF THE MOTOR VEHICLE; OR

(4) THE MOTOR VEHICLE WAS OPERATED AFTER BEING OBTAINED BY THE VIOLATOR THROUGH DURESS OR COERCION FROM AN OWNER OR COOWNER WHO IS A MEMBER OF THE IMMEDIATE FAMILY OF THE VIOLATOR.

(C) THE ADMINISTRATION SHALL BEAR THE BURDEN OF PROVING THAT THE REGISTERED OWNER KNEW OR SHOULD HAVE KNOWN THAT THE DRIVER'S LICENSE OF THE OPERATOR OF THE VEHICLE WAS SUSPENDED OR REVOKED FOR A VIOLATION OF SECTION 21-902 OR SECTION 16-205.1 OF THIS ARTICLE OR SECTION 388A OF ARTICLE 27.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.