

Chapter 551

(Senate Bill 292)

AN ACT concerning

Estates – Administration Exemption – Transfer of Motor Vehicle and Boat Titles

FOR the purpose of establishing that administration of certain estates containing only certain motor vehicle or boat property is not required *under certain circumstances*; authorizing the Motor Vehicle Administration to transfer title of certain motor vehicles under certain circumstances; ~~prohibiting the Administration from requiring a person who receives title to a motor vehicle under certain circumstances to make a certain application until a certain time or submit a certain title until a certain time~~; authorizing a certain agency to transfer title of a certain boat or vessel under certain circumstances; and generally relating to an administration exemption for certain estates.

BY adding to

Article – Estates and Trusts
Section 5–608
Annotated Code of Maryland
(2017 Replacement Volume)

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

Article – Estates and Trusts

5–608.

(A) ~~(1)~~ **IF THE ONLY PROPERTY OF AN ESTATE OWNED BY A DECEDENT IS NOT MORE THAN TWO MOTOR VEHICLES AND THE DECEDENT’S SURVIVING SPOUSE IS THE DECEDENT’S ONLY HEIR OR LEGATEE:**

~~(1)~~ **(1) ADMINISTRATION OF ~~THE~~ AN ESTATE OF THE DECEDENT IS NOT REQUIRED; AND**

~~(2)~~ **(2) THE MOTOR VEHICLE ADMINISTRATION MAY TRANSFER TITLE TO A MOTOR VEHICLE ~~IN THE ESTATE TO THE PERSON ENTITLED TO THE MOTOR VEHICLE IF:~~**

~~1.~~ **1. THE MOTOR VEHICLE TITLE IS PROPERLY ASSIGNED BY THE PERSONAL REPRESENTATIVE OF THE DECEASED OWNER OF THE MOTOR VEHICLE;**

~~2.~~ THE OWNED BY THE DECEDENT TO THE SURVIVING SPOUSE IF:

(I) THE SURVIVING SPOUSE CERTIFIES TO THE MOTOR VEHICLE ADMINISTRATION IS SATISFIED THAT ALL DEBTS AND TAXES OWED BY THE DECEDENT ON THE MOTOR VEHICLE HAVE BEEN PAID; AND

~~3.~~ (II) THE MOTOR VEHICLE ADMINISTRATION RECEIVES A CERTIFICATE OF LETTERS TESTAMENTARY OR OF ADMINISTRATION ISSUED BY A COURT OF COMPETENT JURISDICTION COPY OF THE DECEDENT'S DEATH CERTIFICATE AND SUITABLE PROOF OF THE EXISTENCE OF THE MARRIAGE.

~~(2) THE MOTOR VEHICLE ADMINISTRATION MAY NOT REQUIRE A PERSON WHO RECEIVES TITLE TO A MOTOR VEHICLE UNDER PARAGRAPH (1) OF THIS SUBSECTION TO:~~

~~(i) APPLY FOR A NEW CERTIFICATE OF TITLE FOR THE MOTOR VEHICLE UNTIL THE EXPIRATION OF THE LAST ANNUAL REGISTRATION IN THE NAME OF THE DECEASED OWNER; OR~~

~~(ii) SUBMIT THE CERTIFICATE OF TITLE UNTIL THE APPLICATION FOR A NEW CERTIFICATE OF TITLE IS MADE.~~

(B) IF THE ONLY PROPERTY OF AN ESTATE OWNED BY A DECEDENT IS A BOAT OR VESSEL WITH AN APPRAISED VALUE THAT DOES NOT EXCEED \$5,000 AND THE DECEDENT'S SURVIVING SPOUSE IS THE DECEDENT'S ONLY HEIR OR LEGATEE:

(1) ADMINISTRATION OF THE AN ESTATE OF A THE DECEDENT IS NOT REQUIRED; AND

(2) THE AGENCY THAT ISSUED THE CERTIFICATE OF TITLE MAY TRANSFER THE CERTIFICATE OF TITLE FOR THE BOAT OR VESSEL TO THE PERSON ENTITLED TO THE BOAT OR VESSEL SURVIVING SPOUSE OF THE DECEDENT IF:

(I) THE AGENCY IS SATISFIED SURVIVING SPOUSE CERTIFIES TO THE AGENCY THAT ALL DEBTS AND TAXES OWED BY THE DECEDENT ON THE BOAT OR VESSEL HAVE BEEN PAID; AND

(II) THE AGENCY RECEIVES SATISFACTORY EVIDENCE OF THE VALUE OF THE BOAT OR VESSEL, WHICH MAY BE PROVIDED BY A STATEMENT SIGNED BY TWO INDIVIDUALS STATING THAT:

1. **THEY HAVE PERSONAL KNOWLEDGE OF THE VALUE OF BOATS OR VESSELS OF THE TYPE THAT IS IN THE ESTATE; AND**

2. **THE VALUE OF THE BOAT OR VESSEL DOES NOT EXCEED \$5,000; AND**

(III) THE AGENCY RECEIVES A COPY OF THE DECEDENT'S DEATH CERTIFICATE AND SUITABLE PROOF OF THE EXISTENCE OF THE MARRIAGE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

Approved by the Governor, May 8, 2018.