

AN ORDINANCE TO PROHIBIT THE PARKING OF ALL MOTOR VEHICLES ON BOTH SIDES OF STATION STREET EXTENDING FROM RAILROAD AVENUE SOUTH TO MAIN STREET AND ON BOTH SIDES OF CHURCH STREET EXTENDING FROM MAIN STREET TO THE PLACE WHERE THE SOUTH LINE OF THE PROPERTY OF THE FARMERS BANK OF MARDELA INTERSECTS CHURCH STREET IN THE TOWN OF MARDELA SPRINGS, MARYLAND, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

Section I. BE IT ENACTED AND ORDAINED By The Commissioners of Mardela Springs, Maryland that it shall be unlawful for the owner or operator of any motor vehicle to park and leave standing, unattended, any motor vehicle on the Easterly and Westerly sides of Station Street extending from Railroad Avenue South to Main Street and on the Easterly and Westerly side of Church Street extending from Main Street to the extension of the Southerly property line of the Farmers Bank of Mardela in the town of Mardela Springs, Maryland, at all times, said Commissioners to maintain adequate "No Parking" signs on the said streets at such locations to be clearly visible to the owner and operator of said motor vehicle.

Section II. BE IT FURTHER ENACTED AND ORDAINED by The Commissioners of Mardela Springs, Maryland, that any owner or operator of said motor vehicle violating the provisions of Section I of this Ordinance shall upon conviction thereof before the District Court of Wicomico County, Maryland, be fined not less than One Dollar (\$1.00) and not more than Ten Dollars (\$10.00) for each and every offense plus costs.

Section III. AND BE IT FURTHER ENACTED AND ORDAINED by The Commissioners of Mardela Springs, Maryland, that this Ordinance shall take effect from and after the 1st day of April, 1974.

The above Ordinance was introduced and read to The Commissioners of Mardela Springs, Maryland, at their meeting on the 14th day of March, 1974 and was finally passed at said meeting.

KS
IK, P.A.
21801

ATTESTED BY:

Ray J. Bauler
Secretary

THE COMMISSIONERS OF
MARDELA SPRINGS,
MARYLAND

By: L. J. G. Smith
President

Key: The law states that all local ordinances pertaining to abandoned vehicles are void and the State Law Controls. I am attaching the full text of the State Law.

Rich

Ray - I have read all of this + it sounds like the Md. State Police would have control of this.

Please don't lose this - we can file it for our reference since our ordinance isn't any good.

OF MARYLAND

§ NOTE

"Owner":
"School vehicle":

§ 11-143
§ 11-154

ISOR'S NOTE

Law, is transferred to Title 11 and now appears as § 11-204 of this article.
Former §§ 15-101 (c) and 15-103, which provide for the preservation of private rights, are transferred to Title 11 and now appear as § 11-205 of this article.

andoned Vehicles.

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ned vehicle" means any motor vehicle
attended on public property for more tha

public property for more than 48 hour
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(4) That has remained in a garage
keeper has given the owner of the vehicle notice by registered mail, retu
receipt requested, to remove the vehicle;

(5) That has remained in a garage for more than 10 days after the per
when, by contract, the vehicle was to remain in the garage; or

(6) That was left for more than 10 days in a garage by:

(i) Someone other than its registered owner; or

(ii) A person authorized to have possession of the vehicle under a cont
of use, service, storage, or repair.

576

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least sixty (60) days;

REVISOR'S NOTE

This section formerly appeared as Article 66½, § 15-109.

The only changes are in style.

Definitional cross references:
"Operate":

"Owner":
"School vehicle":

§ 11-143
§ 11-154

§ 11-141

GENERAL REVISOR'S NOTE

Throughout this subtitle, the Commission to Revise the Annotated Code substituted references to the State Highway Administration for former, obsolete references to the "State Roads Commission." This reflects the transfer of authority established by ch. 526, Acts of 1970. See revisor's note to § 8-207 of this article.

Former § 15-101 (d), which prohibits any repeal by implication of the Maryland Vehicle

Law, is transferred to Title 11 and now appears as § 11-204 of this article.

Former §§ 15-101 (c) and 15-103, which provide for the preservation of private rights, are transferred to Title 11 and now appear as § 11-205 of this article.

Subtitle 2. Abandoned Vehicles.

§ 25-201. Definitions.

(a) *In general.* — In this subtitle the following words have the meanings indicated.

REVISOR'S NOTE

This subsection is new language used as the standard introductory language to a definition section.

(b) *Abandoned vehicle.* — "Abandoned vehicle" means any motor vehicle, trailer, or semitrailer:

- (1) That is inoperable and left unattended on public property for more than 48 hours;
- (2) That has remained illegally on public property for more than 48 hours;
- (3) That has remained on private property for more than 48 hours without the consent of the owner or person in control of the property;
- (4) That has remained in a garage for more than 10 days after the garage keeper has given the owner of the vehicle notice by registered mail, return receipt requested, to remove the vehicle;
- (5) That has remained in a garage for more than 10 days after the period when, by contract, the vehicle was to remain in the garage; or
- (6) That was left for more than 10 days in a garage by:
 - (i) Someone other than its registered owner; or
 - (ii) A person authorized to have possession of the vehicle under a contract of use, service, storage, or repair.

REVISOR'S NOTE

This subsection is new language that combines former Article 66½, § 11-1002.2 (g) (2) and the first sentence of former Article 66½, § 11-1002.2 (e).

In items (4), (5), and (6) of this subsection—which are derived from former § 11-1002.2 (e)—the former, limited reference to a "motor vehicle" is deleted to conform to the balance of this subtitle, which relates to any "motor vehicle, trailer, or semitrailer." The use here and elsewhere in the source law of the erroneous term "motor vehicle" is doubtless the result of the original draftsman's inexplicable

use of "abandoned motor vehicle" as a defined term to include trailer and semitrailers, a usage that serves only to create unnecessary confusion.

The only other changes are in style.

Definitional cross references:

"Garage":	§ 25-201 (c)
"Mail":	§ 11-131
"Motor vehicle":	§ 11-135
"Owner":	§ 11-143
"Semitrailer":	§ 11-158
"Trailer":	§ 11-169

(c) *Garage*. — "Garage" means any of the following, if operated for commercial purposes:

- (1) A parking place or establishment;
- (2) A vehicle storage facility; or
- (3) An establishment for the servicing, repair, or maintenance of vehicles.

REVISOR'S NOTE

This subsection is new language derived from the last sentence of former Article 66½, § 11-1002.2 (e).

The phrase "operated for commercial purposes" is derived from the first sentence of that same subsection.

In this subsection, the broader term "vehicle" is substituted for "motor vehicle." See revisor's note to subsection (b) of this section.

The only other changes are in style.

Definitional cross reference:

"Vehicle":	§ 11-176
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(d) *Police department*. — "Police department" means:

- (1) The Maryland State Police;
- (2) The police department of any political subdivision of this State; and
- (3) In Baltimore City, the appropriate agency designated by the Board of Estimates.

REVISOR'S NOTE

This subsection formerly appeared as Article 66½, § 11-1002.2 (g) (1).

The only changes are in style.

(An. Code 1957, art. 66½, § 11-1002.2; 1977, ch. 14, § 2.)

§ 25-202. Abandonment of vehicles prohibited.

A person may not abandon a vehicle;

- (1) On any public property; or
- (2) On any property other than his own without the permission of the owner or lessee of the property. (An. Code 1957, art. 66½, § 11-1002; 1977, ch. 14, § 2.)

REVISOR'S NOTE

This section formerly appeared as Article 66½, § 11-1002.

The broader term "vehicle" is substituted for "motor vehicle" to conform to the scope of the balance of this subtitle. See revisor's note to § 25-201 (b) of this subtitle.

The former reference to a violation of this section as being a "misdemeanor" is deleted as

unnecessary in light of § 27-101 of this article to the same effect.

The only other changes are in style.

Definitional cross reference:

"Vehicle": § 11-176

§ 25-203. Police may take abandoned vehicles into custody.

A police department may take any abandoned vehicle into custody. For this purpose, the police department may use its own personnel, equipment, and facilities or use other persons, equipment, and facilities for removing, preserving, and storing abandoned vehicles. (An. Code 1957, art. 66½, § 11-1002.1; 1977, ch. 14, § 2.)

REVISOR'S NOTE

This section formerly appeared as Article 66½, § 11-1002.1.

The only changes are in style.

Definitional cross references:

"Abandoned vehicle": § 25-201 (b)

"Police department": § 25-201 (d)

§ 25-204. Notice by police to last known registered owner and secured parties — In general.

(a) *Notice to be sent by police.* — As soon as reasonably possible and within 7 days at most after it takes an abandoned vehicle into custody, a police department shall send a notice, by registered mail, return receipt requested, to:

- (1) The last known registered owner of the vehicle; and
- (2) Each secured party, as shown on the records of the Administration.

(b) *Contents of notice.* — The notice shall:

- (1) State that the abandoned vehicle has been taken into custody;
- (2) Describe the year, make, model, and vehicle identification number of the vehicle;
- (3) Give the location of the facility where the vehicle is held;
- (4) Inform the owner and secured party of his right to reclaim the vehicle within 3 weeks after the date of the notice, on payment of all towing, preservation, and storage charges resulting from taking or placing the vehicle in custody; and
- (5) State that the failure of the owner or secured party to exercise this right in the time provided is:
 - (i) A waiver by him of all his right, title, and interest in the vehicle; and
 - (ii) A consent to the sale of the vehicle at public auction. (An. Code 1957, art. 66½, § 11-1002.2; 1977, ch. 14, § 2.)

REVISOR'S NOTE

This section formerly appeared as Article 66½, § 11-1002.2 (a).

In subsection (b) (2) of this section, the term "vehicle identification number," which is defined in § 11-177 of this article, is substituted for "serial number" for clarity. See, e.g., § 13-107 (a) (5) of this article.

The only other changes are in style.

Definitional cross references:

"Abandoned vehicle":	§ 25-201 (b)
"Administration":	§ 11-102
"Mail":	§ 11-131
"Owner":	§ 11-143
"Police department":	§ 25-201 (d)
"Secured party":	§ 11-155
"Vehicle identification number":	§ 11-177

§ 25-205. Same — Notice by publication.

(a) *Application of section.* — This section applies if:

- (1) The identity of the last registered owner of an abandoned vehicle cannot be determined;
- (2) The registration of the vehicle gives no address for the owner;
- (3) It is impossible to determine with reasonable certainty the identity and address of each secured party; or
- (4) The registered mail notice required by § 25-204 of this title is returned as undeliverable.

(b) *When notice by publication required.* — Under one of the conditions described in subsection (a) of this section, a police department that takes an abandoned vehicle into custody shall give the required notice by publication in at least one newspaper of general circulation in the area where the abandoned vehicle was found.

(c) *Requisites of notice.* — The notice by publication:

- (1) May contain multiple listings of abandoned vehicles;
- (2) Shall contain the information required by § 25-204 of this title; and
- (3) Shall be published:
 - (i) Within 15 days of the taking into custody of the vehicle; or
 - (ii) If the notice by publication is made because of the return as undeliverable of a prior notice by registered mail, within 7 days of the return of that prior notice. (An. Code 1957, art. 66½, § 11-1002.2; 1977, ch. 14, § 2.)

REVISOR'S NOTE

This section formerly appeared as Article 66½, § 11-1002.2 (b).

The only changes are in style.

Definitional cross references:

"Abandoned vehicle": § 25-201 (b)

"Mail":	§ 11-131
"Owner":	§ 11-143
"Police department":	§ 25-201 (d)
"Secured party":	§ 11-155

§ 25-206. Effect of failure to reclaim vehicle.

If the owner or secured party fails to reclaim an abandoned vehicle within 8 weeks after notice is given under this subtitle, the owner or secured party is deemed to have waived all of his right, title, and interest in the vehicle and to

have consented to the sale of the vehicle at public auction. (An. Code 1957, art. 66½, § 11-1002.2; 1977, ch. 14, § 2.)

REVISOR'S NOTE

This section is new language derived without substantive change from former Article 66½, § 11-1002.2 (c).

"Owner":
"Secured party":

§ 11-143
§ 11-155

Definitional cross references:

"Abandoned vehicle": § 25-201 (b)

§ 25-207. Sale of vehicle; disposition of proceeds.

(a) *Sale*. — If an abandoned vehicle is not reclaimed as provided for in this subtitle, the police department shall sell the vehicle at public auction.

(b) *Rights of buyer*. — The buyer of the vehicle at auction:

- (1) Takes title to the vehicle free and clear of any claim of ownership or lien;
- (2) Is entitled to a sales receipt from the police department; and
- (3) Is entitled to obtain a certificate of title of the vehicle and register it in his own name.

(c) *Certificate of title not necessary in certain cases*. — The sales receipt is sufficient title for transferring the vehicle to a scrap processor for dismantling, destroying, or scrapping, in which case only a certificate of title is not required.

(d) *Allocation of funds from sale*. — Except as otherwise provided in this subtitle:

(1) From the proceeds of the sale of an abandoned vehicle, the police department shall reimburse itself for the costs of towing, preserving, and storing the vehicle and the expenses of the auction, including all notice and publication costs incurred under this subtitle; and

(2) Any remaining proceeds of the sale shall be held for 90 days for the owner of the vehicle and any entitled secured party, after which the remaining proceeds revert to the treasury of the county in which the sale was made.

(e) *Counties reimbursed for certain losses*. — If the money collected from a sale of any abandoned vehicle is not enough to reimburse the police department for the expenses to which it is entitled under subsection (d) of this section, the Administration, from the Abandoned Vehicles Fund established under § 13-803 (b) of this article, shall reimburse the county in which the police department is located \$10 for each vehicle taken into custody if:

- (1) The vehicle is sold for the purpose of total destruction; and
- (2) Acceptable evidence is presented to the Administration that the vehicle has been totally destroyed. (An. Code 1957, art. 66½, § 11-1002.2; 1977, ch. 14, § 2.)

REVISOR'S NOTE

This section formerly appeared as Article 66½, § 11-1002.2 (d).

In subsection (d) of this section, the phrase "[e]xcept as otherwise provided . . ." is added to

TRANSPORTATION

§ 25-209

reflect the special provisions of § 25-208 (d) governing allocation of funds from the sale of an abandoned vehicle found in a garage. The only other changes are in style.

Definitional cross references:
"Abandoned vehicle":

§ 25-201 (b)

"Administration":
"Name":
"Owner":
"Police department":
"Secured party":

§ 11-102
§ 11-137
§ 11-143
§ 25-201 (d)
§ 11-155

§ 25-208. Special provisions for vehicles abandoned in garages.

(a) *"Abandoned" defined.* — In this section, "abandoned" means abandoned in a garage, as described in § 25-201 (b) (4), (5), or (6) of this subtitle.

(b) *Report by garage keeper required.* — (1) A garage keeper shall report any vehicle abandoned in the garage to the appropriate police department.

(2) Any garage keeper who fails to report the vehicle within 10 days after it becomes abandoned no longer has any claim for servicing, storage, or repair of the vehicle.

(c) *Taking into custody and sale.* — The police department may take the abandoned vehicle into custody and sell it in accordance with the procedures set forth in this subtitle, unless:

- (1) The vehicle is reclaimed by the owner or secured party; and
- (2) The garage keeper is paid.

(d) *Allocation of funds from sale.* — As to the proceeds of the sale:

- (1) They shall be applied, first, to the garage keeper's charges for servicing, storage, or repair; and
- (2) Any surplus proceeds shall be distributed in accordance with § 25-207 (d) of this subtitle.

(e) *Construction of section.* — This section does not impair any:

- (1) Lien of a garage keeper under the laws of this State; or
- (2) The right of any secured party to foreclose. (An. Code 1957, art. 66½, § 11-1002.2; 1977, ch. 14, § 2.)

REVISOR'S NOTE

This section formerly appeared as Article 66½, § 11-1002.2 (e) — except for the last sentence of that section, which now appears as § 25-201 (c) of this subtitle. The only changes are in style.

Definitional cross references:

"Garage": § 25-201 (c)
"Owner": § 11-143
"Police department": § 25-201 (d)
"Secured party": § 11-155

§ 25-209. Disposition of vehicles to wrecker or scrap processor — In general.

(a) *Application for disposition.* — Any person who possesses or on whose property is found an abandoned vehicle and any person who owns a vehicle, for which the certificate of title is defective, lost, or destroyed, may apply to the police department of the jurisdiction in which the vehicle is located for authority to transfer the vehicle to a wrecker or scrap processor.

(b) *Same — Contents.* — The application shall include:

- (1) The name and address of the applicant;

§ 25-210

ANNOTATED CODE OF MARYLAND

(2) The year, make, model, and vehicle identification number of the vehicle, if ascertainable, and any other identifying features of the vehicle;

(3) A concise statement of the facts about the abandonment of the vehicle or the loss, destruction, or defect of the certificate of title of the vehicle; and

(4) An affidavit stating that the facts alleged in the application are true and that no material fact has been withheld.

(c) *Notification of owner and secured party.* — If a police department finds that the application is executed in proper form and shows either that the vehicle has been abandoned on the property of the applicant or, if the vehicle is not abandoned, that the applicant appears to be the rightful owner, the police department shall follow the notification procedures of §§ 25-204 and 25-205 of this subtitle.

(d) *If vehicle not reclaimed.* — (1) If an abandoned vehicle is not reclaimed in the time required by this subtitle, the police department shall give the applicant a certificate of authority to transfer the vehicle to any wrecker or scrap processor for dismantling, destroying, or scrapping.

(2) The wrecker or scrap processor shall accept the certificate of authority instead of the certificate of title of the vehicle. (An. Code 1957, art. 66½, § 11-1002.2; 1977, ch. 14, § 2.)

See Amendment addition C-1 (same as above) Pg 84.

REVISOR'S NOTE

This section formerly appeared as Article 66½, § 11-1002.2 (f) (1) through (4). The only changes are in style.

Definitional cross references:

"Abandoned vehicle": § 25-201 (b)

"Name": § 11-137
"Owner": § 11-143
"Police department": § 25-201 (d)
"Vehicle": § 11-176
"Vehicle identification number": § 11-177

§ 25-210. Same — Transfer under indemnity agreement.

(a) *Application of section.* — The following persons may transfer a vehicle under this section:

(1) Any person who possesses or on whose property any abandoned vehicle is found;

(2) Any person who owns a vehicle for which the certificate of title is defective, lost, or destroyed; or

(3) Any agent designated and authorized by a government agency to remove an abandoned vehicle from public or private property.

(b) *Transfer without certificate of title or notification.* — Notwithstanding any other provision of this subtitle, if the vehicle is more than 8 years old and has no engine or otherwise is totally inoperable, any person described in subsection (a) of this section may transfer the vehicle to a wrecker or scrap processor without a certificate of title and without following the notification procedures of §§ 25-204 and 25-205 of this subtitle.

(c) *Scrap processor to file agreement.* — In those cases only, a scrap processor whose plant is physically located and operating in this State shall execute and

least sixty (60) days;

file with the Administration an indemnity agreement that identifies the vehicle and contains the name, address, and signature of the person delivering it.

(d) *Proof of destruction or for bounty.* — If the vehicle identified in the indemnity agreement was titled in this State, the indemnity agreement and the vehicle identification number:

(1) Are satisfactory proof that the vehicle has been destroyed; and

(2) Are acceptable for payment of the full bounty authorized by § 15-512 of this article.

(e) *Applicability of § 15-512.* — Otherwise, for the purpose of administering the provisions of this section, the provisions of § 15-512 of this article do not apply. (An. Code 1957, art. 66½, § 11-1002.2; 1977, ch. 14, § 2.)

REVISOR'S NOTE

This section is new language derived without substantive change from former Article 66½, § 11-1002.2 (f) (5).

The Commission is unsure of the purpose or import of the last sentence of former § 11-1002.2 (f) (5) — now subsection (e) of this section. Clarification by the General Assembly would be appropriate.

Definitional cross references:

"Abandoned vehicle":	§ 25-201 (b)
"Administration":	§ 11-102
"Name":	§ 11-137
"Vehicle":	§ 11-176
"Vehicle identification number":	§ 11-177

GENERAL REVISOR'S NOTE

In revising this subtitle, the Commission to Revise the Annotated Code attempted to clarify the former law, without substantive change, as best it could. However, the reader should be mindful of Justice Powell's statement regarding this law:

"Few would contend that Maryland has taken the straightest road to its goal, either in its original drafting of the statute or in the

refinement introduced by the 1974 amendment.... [However, that] Maryland might have furthered its underlying purpose more artfully, more directly, or more clearly, does not warrant a conclusion that the method it chose is unconstitutional." *Hughes v. Alexandria Scrap Corp.*, 426 U.S. 794, 96 S. Ct. 2488, 49 L. Ed. 2d 220 (1976).

...or otherwise moving it to an open storage area maintained by the Town, where the vehicle shall remain for at least sixty (60) days;

- (3) Regulating or prohibiting processions or assemblies on highways;
- (4) Designating particular highways or separate roadways as one-way highways and requiring that all vehicles on them move in one specified direction;
- (5) Regulating the speed and weight of vehicles in public parks;
- (6) Designating any highway as a through highway or designating any intersection as a stop intersection or a yield intersection;
- (7) Restricting the use of highways as provided in Title 24 of this article;
- (8) Regulating the operation of bicycles, requiring them to be registered, and imposing a registration fee;
- (9) Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
- (10) Altering speed limits as provided in Title 21, Subtitle 8 of this article;
- (11) Regulating through truck traffic and prohibiting trucks from using any highway or alley that is not designated or maintained as a part or extension of the State or federal highway system, provided the local authority has designated an adequate alternate route for diverted truck traffic;
- (12) Adopting any other traffic regulations as specifically authorized in the Maryland Vehicle Law; or
- (13) Regulating taxi stands, including taxi stands in the middle of a block. (1977, ch. 460.)

Effect of amendment. — Chapter 460, Acts 1977, effective July 1, 1977, added paragraph (13) in subsection (a).

As the other subsections were not affected by the amendment, they are not set forth above.

§ 25-105. Placement of traffic control devices on State highways.

University of Baltimore Law Review. — For note, "The Maryland Boulevard Rule: A Time for Change," see 6 U. Balt. L. Rev. 223 (1977).

Subtitle 2. Abandoned Vehicles.

§ 25-201. Definitions.

Definition of abandoned vehicle is not controlling with respect to doctrine of abandonment, and abandonment under that doctrine is a question of fact based upon evidence of a combination of act and intent. *Duncan v. State*, 281 Md. 247, 378 A.2d 1108 (1977).

§ 25-202. Abandonment of vehicles prohibited; presumption of ownership.

(a) *Abandonment prohibited.* — A person may not abandon a vehicle:

- (1) On any public property; or
- (2) On any property other than his own without the permission of the owner or lessee of the property.

Storage area maintained by the Town, where the vehicle shall remain for at least sixty (60) days;

§ 25-203

TRANSPORTATION

(b) *Presumption of ownership.* — The last known registered owner of an abandoned vehicle is considered to be the prima facie owner of the vehicle at the time it was abandoned and the person who abandoned it. (An. Code 1957, art. 66½, § 11-1002; 1977, ch. 14, § 2; 1978, ch. 999.)

Effect of amendment. — The 1978 amendment, effective July 1, 1978, designated the former provisions of the section as subsection (a) and added subsection (b).

§ 25-203. Police may take abandoned vehicles into custody.

Warrantless seizure. — When an automobile is in fact abandoned, it may be seized by the police without a warrant. *Duncan v. State*, 281 Md. 247, 378 A.2d 1108 (1977).

Inventory search. — The taking into custody of an automobile which was abandoned may provide the legal impoundment element of the police caretaking function necessary to trigger

an inventory search. *Duncan v. State*, 281 Md. 247, 378 A.2d 1108 (1977).

Admissibility of evidence. — An abandoned automobile seized by the police, along with its contents, may be retained for use as evidence otherwise admissible against the one who abandoned it. *Duncan v. State*, 281 Md. 247, 378 A.2d 1108 (1977).

§ 25-209. Disposition of vehicles to wrecker or scrap processor — In general.

(c-1) *Same — Waiver.* — If the applicant submits with the application documentary proof that the notification procedures of §§ 25-204 and 25-205 already have been complied with, the police department may accept the document as proof of compliance and the department is not required to provide this notification. (1978, ch. 185.)

Effect of amendment. — The 1978 amendment, effective July 1, 1978, added subsection (c-1).

As the other subsections were not affected by the amendment, they are not set forth above.

State has not chosen to contract with scrap processors. — Pursuant to this section, the State has not chosen to contract in a business context with scrap processors and to specify

conditions with respect to the latter's performance of such contracts. Rather, in electing to act as it did in exercising its police power to preserve the State's natural resources, the State elected to act in a traditional governmental capacity. *Alexandria Scrap Corp. v. Hughes*, 391 F. Supp. 46 (D. Md. 1975), rev'd on other grounds, 426 U.S. 794, 96 S. Ct. 2488, 49 L. Ed. 2d 220 (1976).

§ 25-210. Same — Transfer under indemnity agreement.

Constitutionality of section. — This section bears a rational relationship to Maryland's purpose of using its limited funds to clean up its own environment, and that is all the federal Constitution requires so that this section does not violate the equal protection clause of the Fourteenth Amendment. *Hughes v. Alexandria Scrap Corp.*, 426 U.S. 794, 96 S. Ct. 2488, 49 L. Ed. 2d 220 (1976).

This section did not create a burden on interstate commerce sufficient to invalidate this section as repugnant to the commerce clause of the federal Constitution. *Hughes v. Alexandria*

Scrap Corp., 426 U.S. 794, 96 S. Ct. 2488, 49 L. Ed. 2d 220 (1976).

Title documentation required. — Under this section, it is no longer possible for a licensed scrap processor to receive a bounty on a hulk without submitting title documentation to the State. *Hughes v. Alexandria Scrap Corp.*, 426 U.S. 794, 96 S. Ct. 2488, 49 L. Ed. 2d 220 (1976).

Source of abandoned vehicle need not be set forth in indemnity agreement. — There is no statutory or administrative requirement, or any practice, which provides that there be set forth in an indemnity agreement the source of the

remove the vehicle by towing or otherwise moving it to an open storage area maintained by the Town, where the vehicle shall remain for at least sixty (60) days;

1978 CUMULATIVE SUPPLEMENT

§ 25-210

abandoned vehicle. All that is needed is that the vehicle have been a Maryland-titled vehicle. Alexandria Scrap Corp. v. Hughes, 391 F. Supp. 46 (D. Md. 1975), rev'd on other grounds, 426 U.S. 794, 96 S. Ct. 2488, 49 L. Ed. 2d 220 (1976).
Location of abandoned vehicle. — The provisions of this section in no way include any

requirement that a Maryland-titled vehicle be abandoned within rather than without Maryland in order to qualify for a bounty. Alexandria Scrap Corp. v. Hughes, 391 F. Supp. 46 (D. Md. 1975), rev'd on other grounds, 426 U.S. 794, 96 S. Ct. 2488, 49 L. Ed. 2d 220 (1976).

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the vehicle by towing or otherwise moving it to an open storage area maintained by the Town, where the vehicle shall remain for at least sixty (60) days;