

11.15.34 Salvage Vehicle Calculation

Authority: Transportation Article, §12-104(b), Annotated Code of Maryland

Notice of Proposed Action

[10-275-P]

The Administrator of the Motor Vehicle Administration proposes to adopt new Regulations **.01** and **.02** under a new chapter, **COMAR 11.15.34 Salvage Vehicle Calculation**.

Statement of Purpose

The purpose of this action is to establish the requirements and guidelines for determining what type of repairs can be deducted from the salvage vehicle calculation for the purpose of a title brand. This action is required by the passage of H.B. 1199, Ch. 728, Acts of 2010.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Carolyn Decker, Regulations Coordinator, Motor Vehicle Administration, Room 200, 6601 Ritchie Highway, N.E., Glen Burnie, MD 21062, or call 410-424-3105, or email to cdecker@mdot.state.md.us, or fax to 410-768-7506. Comments will be accepted through October 25, 2010. A public hearing has not been scheduled.

.01 Scope.

This chapter is to establish the requirements and guidelines for determining what type of repairs can be deducted from the salvage vehicle calculation for the purpose of a title brand, as set forth in Transportation Article, §13-506, Annotated Code of Maryland.

.02 Cosmetic Damage.

A. Cosmetic damage repairs are repairs done solely for the sake of appearance, decorative or ornamental, superficial, nonsubstantive, and if left unrepaired, would not impact the functionality, or render the vehicle unsafe or unable to operate on public roadways. Cosmetic

damage shall not include any repair required to enable a vehicle to pass a safety inspection under COMAR 11.14.

B. Cosmetic damage repairs are those required solely for:

(1) Vehicle refinishing labor and materials;

(2) External trim molding and fascia;

(3) Molded, non-metal bumper covers;

(4) Grilles;

(5) Entertainment systems;

(6) Audiovisual, telephone, and mapping equipment;

(7) Emblems, stripes, and decals;

(8) Hubcaps and wheel covers;

(9) Interior carpet;

(10) Upholstery, excluding driver seat; and

(11) Interior door trim panels.

C. Except as set forth in §B(1) of this regulation, the cost for cosmetic damage repairs shall only include the cost of parts and materials and may not include the cost of labor.

D. The cost for cosmetic damage repair may not be included in the cost to repair the vehicle when determining the calculation for a salvage vehicle, as set forth in Transportation Article, §13-506(c)(4), Annotated Code of Maryland.

E. For purposes of determining the calculation for a salvage vehicle, any tax on the parts or labor may not be included.

F. For purposes of determining the calculation for a salvage vehicle, fair market value is the valuation shown in a national publication of used car values or from a computerized database that produces statistically valid fair market values and does not include costs for titling, registration, and applicable taxes.

JOHN T. KUO
Administrator
Motor Vehicle Administration