

recover damages on the ground of constructive fraud or inadequate notice shall be filed within 3 years from the date of judgment.

(2) Damages in an action under paragraph (1) of this subsection may not exceed the fair market value of the property at the time of sale]:

(1) A DEFENDANT OR ANY PERSON DESCRIBED IN § 14-836(B)(1) AND 14-836(B)(4)(I) MAY FILE AN ACTION TO RECOVER DAMAGES ON THE GROUND OF INADEQUATE NOTICE WITHIN 3 YEARS AFTER THE DATE OF JUDGMENT FORECLOSING RIGHTS OF REDEMPTION;

(2) DAMAGES IN AN ACTION UNDER ITEM (1) OF THIS SUBSECTION MAY NOT EXCEED THE FAIR MARKET VALUE OF THAT PERSON'S INTEREST IN THE PROPERTY AT THE TIME OF THE SALE; AND

(3) A PERSON MAY NOT FILE TO REOPEN A JUDGMENT FORECLOSING RIGHTS OF REDEMPTION BASED ON INADEQUATE NOTICE.

(d) A court in the State may not reopen a judgment rendered in a foreclosure proceeding instituted by the Mayor and City Council of Baltimore City under former Article 81, §§ 117 through 121 of the Code unless an application to reopen the judgment is filed on or before June 30, 1987. After June 30, 1987, any judgment rendered under former Article 81, §§ 117 through 121 of the Code shall be deemed conclusively to have been ratified by all persons who might otherwise have grounds to object to the judgment.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003.

May 21, 2003

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 563 - Montgomery County - Local Vehicle Surcharge - Transportation Fund.

House Bill 563 authorizes the Montgomery County Council to impose a local surcharge of \$27 or \$40.50 on certain motor vehicles owned by people living in Montgomery County or businesses located in Montgomery County. This surcharge would create a fund dedicated to transportation projects in Montgomery County, including roads, mass transit projects, hiker-biker trails, and pedestrian safety programs. Further, the bill requires the Motor Vehicle Administration (MVA) to provide Montgomery County with a list of people domiciled in the county in order to assess who must pay the surcharge. Finally, the MVA would be responsible for tracking the people in Montgomery County who did not pay the surcharge.