

SENATE BILL 371

R7
SB 125/07 – JPR

0lr1058

By: **Senator Della**
Introduced and read first time: January 28, 2010
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Fines for Parking Violations – Late Fees – Restrictions in Baltimore City**

3 FOR the purpose of prohibiting Baltimore City from charging a person issued a
4 citation for a parking violation who has failed either to pay the fine by a certain
5 date or to file a notice of intent to stand trial by a certain date more than one
6 late fee or a late fee exceeding a certain amount; and generally relating to
7 restrictions in Baltimore City on the charging of late fees for unpaid fines for
8 parking violations.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 26–301
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2009 Supplement)

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

16 **Article – Transportation**

17 26–301.

18 (a) In this subtitle, “officer” means a police officer or a person other than a
19 police officer who is authorized to issue a citation for a violation of an ordinance or
20 regulation that is adopted under this section.

21 (b) Subject to subsection (c) of this section, any State agency authorized by
22 law and any political subdivision of this State may adopt ordinances or regulations
23 that:

24 (1) Regulate the parking of vehicles;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (2) Provide for the impounding of vehicles parked in violation of the
2 ordinances or regulations;

3 (3) Regulate the towing of vehicles from publicly owned and privately
4 owned parking lots; and

5 (4) Provide for the issuance of a citation by an officer for a violation of
6 an ordinance or regulation that is adopted under this section.

7 (c) (1) A political subdivision may not adopt or enforce an ordinance or
8 regulation that prohibits the parking of more than one motorcycle within a space
9 served by a single parking meter.

10 (2) **BALTIMORE CITY MAY NOT CHARGE A PERSON ISSUED A**
11 **CITATION FOR A VIOLATION OF AN ORDINANCE ADOPTED UNDER THIS SECTION**
12 **WHO HAS FAILED EITHER TO PAY THE FINE FOR THE VIOLATION BY THE DATE**
13 **SPECIFIED IN THE CITATION OR TO FILE A NOTICE OF INTENTION TO STAND**
14 **TRIAL FOR THE VIOLATION BY THE DATE SPECIFIED IN THE CITATION:**

15 **(I) MORE THAN ONE LATE FEE; OR**

16 **(II) A LATE FEE EXCEEDING \$25.**

17 (d) (1) In this subsection, “rental vehicle” means a vehicle that is rented
18 or leased for a period not exceeding 180 days.

19 (2) If a parking citation is issued for a rental vehicle, the owner is not
20 liable for any penalty in excess of the original fine for a parking violation unless the
21 owner fails to pay the fine or file a notice of intention to stand trial for the violation
22 within the time specified in a notice of the infraction mailed to the business address of
23 the owner.

24 (3) If a political subdivision or State agency receives payment for a
25 parking violation from both the owner of the vehicle and the person who had
26 possession of the rental vehicle at the time the parking citation was issued, the
27 political subdivision or State agency shall reimburse the owner of the vehicle for the
28 amount paid by the owner for the violation.

29 (e) Any State agency authorized by law and any political subdivision of the
30 State may establish public outreach efforts to educate law enforcement officers,
31 businesses, medical practitioners, and the general public as to parking laws and
32 regulations, including:

33 (1) The authority of law enforcement officers to enter private parking
34 lots used by the public; and

1 (2) Specific eligibility criteria for, and requirements for the lawful use
2 of, special registration plates and placards issued under Title 13, Subtitle 6 of this
3 article for individuals with disabilities.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2010.